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# H. G. WELLS

ON

# THE RIGHTS OF MAN

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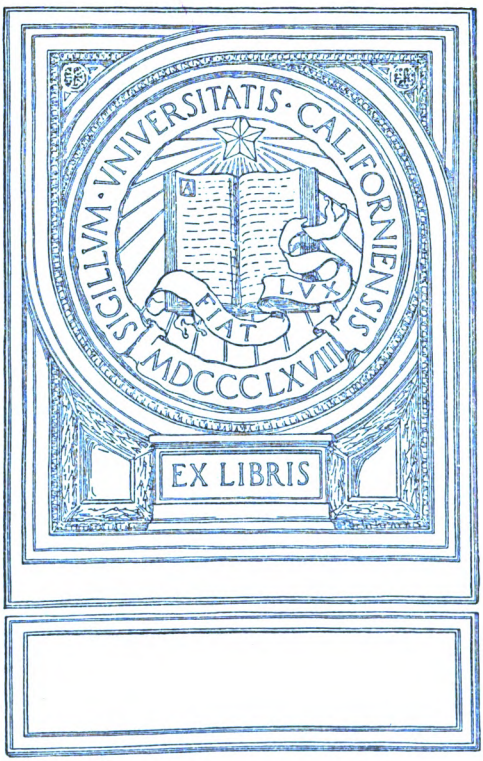
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# THE RIGHTS OF MAN

## OR WHAT ARE WE FIGHTING FOR?

BY H. G. WELLS

# THE RIGHTS OF MAN

## OR WHAT ARE WE FIGHTING FOR?

by

**H. G. WELLS**

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# PREFACE

## § 1

IN this compact booklet, it is proposed to tell the story of a Manifesto which its Authors believe could be made a very useful and important document at the present time. It is a piece of associated writing of which the present writer is to be regarded as the editor and secretary rather than the author, and it first took shape in the form of two letters to the London *Times*. Therein we have the first statement of an idea that has developed in substance and importance with the impact of other experienced and critical minds. We believe that to many readers this gradual crystallisation step by step of a definite politico-social creed may prove much more stimulating and interesting than the mere formal statement of creed. To them this book is dedicated.

The original *Times* letter ran as follows:

"WAR AIMS

"THE NEED FOR LIMITLESS CANDOUR

"To the Editor,

"*The Times.*

"SIR,

"I have been following the correspondence upon War Aims in your columns with considerable attention. In many respects it recalls the War Aims Controversy of 1917–18 when the Crewe House organisation did its unsuccessful best to extract from the Foreign Office a precise statement of what the country was fighting for (see Sir Campbell Stuart's *Secrets of Crewe House*). No such statement was ever produced and the Great War came to a ragged end in mutual accusations of broken promises and double crossing.

"Even then there was a world-wide feeling that a great revolution in human affairs was imminent; the phrase 'a war to end war' expressed that widely diffused feeling, and surely there could be no profounder break with human tradition and existing forms of government, than that. But that revolution did not realise itself. The League of Nations, we can all admit now, was a poor and ineffective outcome of that revolutionary proposal to banish armed conflict from the world and

inaugurate a new life for mankind. It was too conservative of existing things, half-hearted, diplomatic. And since, as more and more of us are beginning to realise now, there can be no more peace or safety on earth without a profound reconstruction of the methods of human living, the Great War did not so much come to an end as smoulder through two decades, the fatuous twenties and the frightened thirties, to flare up again now. Now at a level of greater tension, increased violence and destructiveness and more universal suffering, we are back to something very like 1914 and the decisive question before our species is whether this time it will set its face resolutely towards that drastic remoulding of ideas and relationships, that world revolution, which it has shirked for a quarter of a century.

" If that revolution is to be brought off successfully and give a renewed lease to human happiness and effort, it is to be brought off only by the fullest, most ruthless discussion of every aspect and possibility of the present situation. Nobody and no group of people knows enough for this immense reorganisation, and unless we can have a full and fearless public intercourse of minds open to all the world, our present enemies included, we shall never be able to establish a guiding system of ideas upon which a new world order can rest.

" We have before us as an object lesson the

great experiment of Russia. Whatever anyone may think of the outcome of the socialist movement which found its main embodiment in communism after 1848, there can be little dispute now of the fundamental nobility of that conception of a world-wide international system of social justice, a world peace, from which the incentive of private profit was to be eliminated. But from the beginning this movement encountered repression. It could not say what it had to say plainly and fearlessly. It was universalism with an involuntary hole-and-corner flavour.

"The result of suppressing the full, free discussion of revolutionary proposals, even of the extremest revolutionary proposals, is to force them underground. This sort of thing does not save an outworn and decaying regime but it drives the critics who are discussing a new order to conspiratorial methods, to terroristic secrecy, to unventilated dogmatism. The revolution, when at last it arrived in Russia, was in the hands of men trained in underground methods, and the Soviet regime, practically inexpert, with everything to learn, shut down on free discussion and free mutual criticism with the West, and degenerated into the masked incalculable personal rule of to-day. That was revolution in the dark. Cannot our Western world, in its quite inevitable march towards a world collectivism, face its changes in the light, in an atmosphere of extreme

candour and mutual toleration? The thing I am most terrified by to-day is the manifest threat of a new weak put-off of our aspirations for a new world, by some repetition of the Geneva simulacrum. Last time it was the League of Nations; this time the magic word to do the trick is Federation. A real League of Nations might have turned the world into a new course in 1918-19; a real Federation of Mankind might do as much to-morrow. But if it is to be a real, effective federation of mankind, a genuine attempt to realise that age of world-wide plenty and safety that we have every reason to suppose attainable, then we have to discuss simply and sincerely and work out plans for the polite mediatisation of monarchies, the competent socialisation of the natural resources and staple industries of the world, the revision and extension of our universities and other knowledge organisations and the establishment of a world-wide rising level of common education. The war, under the auspices of A.R.P., is darkening everything. Are we to have as much light as that in the streets of the world? If not; if we are to go on with this present regime of vague insincerities, mutual distrust and sabotage, I for one can see no hope for mankind. More of this sort of thing and worse to the end.

"Yours faithfully,

"H. G. WELLS."

After some correspondence a second letter appeared in *The Times* to this effect:

" To The Editor

" *The Times.*

" SIR,

" You recently did me the honour of printing a letter upon the possibility of discussing the outcome of this war while it is still going on, in which I stressed the need for free and outspoken discussion. This letter produced a considerable response and it has been reprinted extensively in America and elsewhere. I have been favoured by the views and comments of a number of very able people. With your permission I will give certain things that have become much clearer in this discussion as it has proceeded. The first is the extensive demand for a statement of ' War Aims ' on the part of young and old, who want to know more precisely what we are fighting for, and the second is the practical impossibility of making any statement in terms of boundaries, federations and political readjustments at the present time. This demand and this difficulty are not so mutually contradictory as they seem at first. There is a way of answering the demand in a very satisfactory manner without any of the en-

tanglements involved in map-drawing, constitution-mongering, schemes for pledges, guarantees, sanctions and the like, and it is a method which is entirely in the best traditions of the Atlantic Parliamentary peoples; the method of a declaration of rights. At various crises in the history of our communities, beginning with Magna Carta and going through various Bills of Rights, Declarations of the Rights of Man and so forth, it has been our custom to produce a specific declaration of the broad principles on which our public and social life is based, and to abide by that as our fundamental law. The present time seems peculiarly suitable for such a restatement of the spirit in which we face life in general and the present combat in particular. It would answer the first question completely; it would furnish a criterion for our subsequent treaties and behaviour.

"In conjunction with a few friends I have drafted a trial statement of the rights of man brought up to date. I think that this statement may serve to put the War Aims discussion upon a new and more hopeful footing. It really involves nothing that is not actually observed or tacitly accepted by a great majority of reasonable men in the democratic states of to-day, it defines the spirit in which the mass of our people are more or less consciously fighting, and it is calculated to appeal very forcibly to every responsive spirit

under the yoke of the obscurantist and totalitarian tyrannies with which we are in conflict.

"DECLARATION OF RIGHTS

"Since a man comes into this world through no fault of his own, since he is a joint inheritor of the accumulations of the past, and since those accumulations are more than sufficient to satisfy the claims that are here made on his behalf, it follows:

"(1) That every man without distinction of race or colour is entitled to nourishment, housing, covering, medical care and attention sufficient to realise his full possibilities of physical and mental development and to keep him in a state of health from his birth to death.

"(2) That he is entitled to sufficient education to make him a useful and interested citizen, that he should have easy access to information upon all matters of common knowledge throughout his life and enjoy the utmost freedom of discussion.

"(3) That he and his personal property lawfully acquired are entitled to police and legal protection from private violence, deprivation, compulsion and intimidation.

"(4) That although he is subject to the free criticism of his fellows, he shall have adequate protection from any lying or misrepresentation that may distress or injure him. All registration and records about citizens shall be open to their

personal and private inspection. There shall be no secret dossiers in any administrative department. All dossiers shall be accessible to the man concerned and subject to verification and correction at his challenge. A dossier is merely a memorandum; it cannot be used as evidence without proper confirmation.

"(5) That he may engage freely in any lawful occupation, earning such pay as the need for his work and the increment it makes to the common welfare may justify. That he is entitled to demand employment and to a free choice when there is any variety of employment open to him. He may suggest employment for himself and have his claim publicly considered.

"(6) That he may move freely about the world at his own expense. That his private house or apartment or reasonably limited garden enclosure is his castle, which may be entered only with his consent, but that he shall have the right to roam over any kind of country, moorland, mountain, farm, great garden or what not, where his presence will not be destructive of its special use nor dangerous to himself nor seriously inconvenient to his fellow-citizens.

"(7) That he shall have the right to buy or sell without any discriminatory restrictions anything which may be lawfully bought or sold, in such quantities and with such reservations as are compatible with the common welfare.

" (8) That a man unless he is duly certified as mentally deficient shall not be imprisoned for a longer period than three weeks without being charged with a definite offence against the law, nor for more than three months without a public trial. At the end of the latter period, if he has not been tried and sentenced by due process of law, he shall be released.

" (9) That no man shall be subjected to any sort of mutilation or sterilisation except with his own deliberate consent, freely given, nor to bodily assault, except in restraint of his own violence, nor to torture, beating or any other bodily punishment; he shall not be subjected to imprisonment with such an excess of silence, noise, light or darkness as to cause mental suffering, or to imprisonment in infected, verminous or otherwise insanitary quarters, or be put into the company of verminous or infectious people. He shall not be forcibly fed nor prevented from starving himself if he so desire. He shall not be forced to take drugs nor shall they be administered to him without his knowledge. That the extreme punishments to which he may be subjected are rigorous imprisonment for a term or not longer than fifteen years or death.

" (10) That the provisions and principles embodied in this Declaration shall be more fully defined in a legal code which shall be made easily accessible to everyone. This Declaration shall

not be qualified nor departed from upon any pretext whatever. It incorporates all previous declarations of human right. Henceforth it is the fundamental law for mankind throughout the world."

§ 2

Simultaneously the idea was put before a number of publicists and writers for their criticism and co-operation, and various organisations subjected it to a very helpful criticism. A preamble, differing from the *Times* opening, approaching the matter from a different angle, was distributed widely with copies of the draft. This preamble said:

" PREAMBLE

" The destruction of confidence is one of the less clearly recognised evils of the present phase of world-disintegration.

" In the past there have been periods when whole communities, or at least large classes within communities, have gone about their business with a general honesty, directness and sense of personal honour. They have taken a keen pride in the quality of their output. They have lived through life on tolerable and tolerant terms with their neighbours. The laws they observed have varied in different countries and periods, but their general nature was to make an orderly law-

abiding life possible and natural. They had been taught and they believed, and they had every reason to believe: ' This (that or the other thing) is right. Do right and nothing, except by some strange exceptional misfortune, can touch you. Do right and nothing will rob you or frustrate you. The Law guarantees you that.'

" Nowhere in the world now is there very much of that feeling left, and as it disappears, the behaviour of people degenerates towards a panic scramble, towards cheating, over-reaching, gang organisation, precautionary hoarding, concealment and all the meanness and anti-social feeling which is the natural outcome of insecurity.

" Faced with what now amounts to something like a moral stampede, on the part of governments quite as much as individuals, more and more sane men will realise the urgency for a restoration of confidence. The more socialisation proceeds and the more directive authority is concentrated, the more necessary is an efficient protection of individuals from the impatience of well-meaning or narrow-minded or ruthless or dishonest officials and indeed from all the possible abuses of advantage that are inevitable under such circumstances to our still childishly wicked breed.

" In the past the Atlantic world has been particularly successful in expedients for meeting this aspect of human nature. Our characteristic and

traditional method may be called the method of the fundamental declaration. Our Western peoples, by a happy instinct, have produced statements of right, from Magna Carta onwards, to provide a structural defence between the citizen and the necessary growth of central authority.

"And plainly the successful organisation of the more universal and penetrating collectivism that is now being forced upon us all, will be frustrated in its most vital aspect unless its organisation is accompanied by the preservative of a new declaration of the rights of man, that must because of the increasing complexity of the new social structure be more generous, detailed and explicit than any of its predecessors. Such a Declaration must become the *common fundamental law* of all communities and collectivities assembled under the World Pax. It should be interwoven with the declared war aims of the combatant powers now; it should become the primary fact in any settlement; it should be put before the now combatant states for their approval, their embarrassed silence or their rejection.

"In order to be as clear as possible about this, let me submit a draft for your consideration of this proposed declaration of the rights of man—using 'man' of course to cover every individual male or female, child or adult, of the species. I have endeavoured to bring in everything that is essential and to omit whatever secondary issues

can be easily deduced from its general statements. It is a draft for your consideration. Points may have been overlooked, and it may contain repetitions and superfluous statements."

And here followed the original draft already given in the second *Times* letter.

## § 3

The reception of the draft thus published and circulated was very favourable. It was realised that it was a timely and far-reaching suggestion, and most of the adverse comment seemed not so much to meet it as slide away from it upon imaginary issues raised by reading " between the lines." The next step seemed to be to revise it thoroughly, disposing of or incorporating every proposed amendment that seemed to be relevant. If the Declaration was worth making at all, it was worth going over thoroughly to make it as good as possible.

This little booklet is a summary of that revision, so that the reader can follow and appreciate the motives for every step in its development.

We discuss the Declaration clause by clause with the underlying justifications for its phrasing and amendment. It is emphasised that such a Declaration is in no way a novel thing in the political life of Western Europe and America, and that at the present time it is absolutely necessary

for the consolidation, implementing and control of the revolutionary impulses that are astir all over the world. For manifestly the world is either in revolution or in collapse. The choice is not between accepting revolution and keeping on as we are, but between accepting revolution or destroying it and ourselves.

The book opens upon a journalistic and contemporary note, it prefaces itself for the third time; we hammer it in. Almost everything of significance is repeated several times, but almost always with a new intensification. The record had to take that form. It is a work that accumulates as it proceeds, and it seeks to evoke a continual collaboration in the reader.

# THE RIGHTS OF MAN
# OR WHAT ARE WE FIGHTING FOR?

## CHAPTER I

## IMPERATIVE NEED FOR A DECLARATION

THE whole world is asking for the War Aims of the Allied Powers, and we British and our Allies are damping enthusiasm at home and throughout the Empire and losing the moral support of America and the neutral countries generally, by the failure of our Governments to make any lucid statement of their war intentions.

It is stupid to say "Wait until the war is won." Any sensible man who fights, fights to win; that goes without saying. And he has an Aim. A man who fights to win without any Aim before him, can find a readier relief for his pugnacity than the laborious restraints, discomforts and uncertainties of modern warfare. Most modern men have no set craving for fighting, and they are asking now with an increasing querulousness why their private lives are being disorganised and why they are being dragged, pushed, exhorted, compelled into a vast war effort, with no assur-

ance whatever that any worth-while results at all, are to come out of it.

And our Government, the people who are ordering and pushing us about—and doing it in an obviously very incompetent way—makes no statement that is in any way reassuring and stimulating. Great Britain pretends to be a "democracy," that is to say a rule of, by and for the people, etc., etc. Consequently *our* Government is assumed to be acting under *our* instructions. Yet it gives no sign of what it imagines these instructions to be. It will not say what it imagines it is up to. So far as we are able to judge, it does not know. But it will not admit it does not know. This inefficient Government of ours has been clutching hysterically to strangle liberty of discussion and protest. (Thank Heaven for Mr. Dingle Foot!) Our individual liberties are being threatened by emergency legislation. Our representatives, our ministries and servants are out of hand.

Let me say while it is still sayable that we have no particular confidence in the Prime Minister; he has never given evidence of marked ability of any sort; his record as a business man is anything but brilliant; he was one of Mr. Lloyd George's failures during the last war; he impresses us as having the peevish secretiveness of a man who cannot stand criticism; his preference for mediocrities in office and his manifest jealousy

of special gifts and abilities may quite conceivably lose us this war—with everything in our favour—and few of us feel safe with him. Nor do we feel safe with our Foreign Office. For all we know the war is already being sold by secret treaty, behind our backs. That happened during the last war. Yet we are unable to get any alternative government. It seems impossible to persuade people that there can be worse things than a change of Government during war time, and that Mr. Chamberlain is one of them. Consequently the desire to see him and his Government pinned to some clear statement of what it is all about, is growing urgent and more general. We want War Aims now.

We are not fighting the Germans. Everyone agrees to that. Our Government most of all. We are fighting Hitler and the Nazis. We want to *free* the Germans. And so we may point out how very similar is the predicament of these friends of ours, these Germans, whom we are fighting to liberate, to our own. They too find themselves marched off to war and undergoing, I am told, far greater privations and even more tiresome regulations than our own. They too, we are told, have a considerable distrust of their leaders. They too want to know what it is all about. But obviously they can no more get rid of Hitler than we can get rid of Mr. Chamberlain, and Hitler anyhow has at least the prestige of

being in his rough way a successful man. His Propaganda Minister tells these Germans we are so acutely anxious to free, quite awful stories of what will happen to them if they don't fight. It is a rather clever propaganda and it quotes every foolish threat against Germany to keep them at the desperate pitch. They are going to be liberated from the Nazi yoke, our leaflets tell them, and instead of being simply grateful about it and sabotaging Herr Hitler, they ask: "What then?"

"What then?" they ask. "What then?" And that is where Herr Goebbels finds his opportunity.

India too is saying: "Yes, we will support you in this war, *but* someday it will end; probably in a sort of muddling-through you will win it, and then what?"

And while we British, thus challenged, stand embarrassed behind our ambiguous government, the hostile propaganda profits by that silence. All sorts of indiscreet, unwise and possibly treacherous utterances are made. Mr. Duff Cooper, landing at New York, cools his mind by blowing off about a forthcoming revolt of the German Army and a return to monarchy in Germany, a Holy Roman Empire, I suppose, leading that new Crusade of which the Pope has been talking recently against anti-God Russia. But quite a lot of radical people in the world, in

spite of the folly, stupidity and brutality of the Stalin-Molotov attack on Finland, are averse from this idea of a religious war against Socialism and Atheism. Nor is a rally of mankind under the banner of the Vatican a stimulating outlook for Protestant and any Social Democratic Germans who survive! An obscure periodical in Toulouse unfolds a project for cutting up our beloved Germans when we have liberated them from Nazi oppression (and extracted proper indemnities) into a number of small, entirely disarmed servile states. This stuff goes into Germany at once. "This," says the German radio, "is what they mean to do with you! This is what those British leaflets did not tell you! You see, you must fight. It will be *Little Man what now?* all over again and worse if you don't."

We common British intend nothing of the sort. In a dim, deep, instinctive way our people are setting about this war, reluctantly, seriously and resolutely. We want to bring Nazi aggression to a standstill and admitted defeat. And we have no clear ideas at all about what is to happen to Germany afterwards. We do not believe it is practicable to cut up Germany, and we have not the remotest idea of fighting in this religious war between the Vatican and Russia. We know that we have been forced and misled into a position when we are bound to go on fighting. We are fighting against lawless violence; that is to say,

we are fighting that "war to end war" which began on August 4th, 1914. We were cheated in 1918, and put off with the Geneva League of the Victorious Powers for twenty years, and we have muddled along to this. And this time we are clearer about it and we want our Government to implement our will. We are fighting to abolish violence, we, the common people of Britain and France, because we find it impossible to live the lives we want to live, in a belligerent world. We want to end war for ever. That in the broadest terms is our War Aim.

We want to have no more mistakes about it this time. We do not want another patched-up politicians' muddle. And so, taught by the frustrations of the League of Nations period, we are setting ourselves to discover how we realise that essential aim. Certain necessities are becoming very clear again to more and more of us. And the first of these is to do again what it has been the practice of the Parliamentary peoples to do whenever they come to a revolutionary turning-point of their histories, which is to make a declaration of the fundamental principles upon which the new phase is to be organised. This was done to check the encroachments of the Crown in Magna Carta. The particular Petition of Right made in 1628 repeated this expedient. It was done again in the Declaration of Right and the Bill of Rights which ended the

"Leviathan" and the Divine Right of Kings. Magna Carta and the Bill of Rights are an integral part of American law. The American Declaration of Independence was another such statement of a people's will, and the French Declaration of the Rights of Man derived its inspiration directly from that document.

Now that we are at another great turning-point of human history, we need another fundamental assertion of the supremacy of the claims of the common man against any privilege, pre-emption or government whatever. We want to assert our claims against any government that seeks to defeat, exploit or betray them. We need a new Declaration of Rights, and one of such a nature that it will involve an ultimate repudiation of violence and warfare from end to end of the earth.

What should be the clauses of such a Declaration to-day? All the conditions of human life have been profoundly altered during the last two centuries, and it will have to differ from its predecessors in many particulars. New occasions have arisen and old grievances ceased to distress us. I propose now to go over the draft for such a Declaration, as it has been amended, clause by clause. I feel that when we have established the form of that fundamental law, then and then only will it be possible to take up the detached problems of the War Aims that we encounter on our way towards our fundamental aim, the riddle of

conflicting powers, boundaries, nations, races, minorities, with some assurance that they will fall into a reasonable and hopeful outlook for a new World Order.

We want to draw up a document and demand of Mr. Chamberlain and his friends abroad and at home: " Is this what we are fighting for ? And if not then please tell us what you imagine we *are* fighting for ?

" Or better, perhaps, get out."

## CHAPTER II

## SECURITY FROM VIOLENCE

IN its original form the draft Declaration of Rights began with a preamble and proceeded in an orderly fashion from a statement of primary physical needs up to the provision of a legal world code. That was how it had come off my mind. But I found that most of the people and the younger men in particular who were going to do the fighting, with whom I discussed the declaration, were not prepared to receive it in quite the same order. They wanted to have it put another way round.

They were moved principally by two things. Firstly, they felt the need of fighting again to "put down violence" in the world, to go on with the war to end war that had lost its way at Versailles, and secondly, they had been stirred profoundly by those outrages upon human dignity perpetrated by the Nazis. The second motive was perhaps the stronger. Many of them had been incredulous at first of the stories that came from concentration camps and refugees. When they realised reluctantly that such things could still be done in the heart of Europe, something like a lynching spirit was stirred up in them. The

peace of the world receded into the background. " These Nazis are *too* bad," they said. The first thing they wanted in a Declaration of War Aims was a plain statement that such things must happen no more on earth.

This present warfare, the present recrudescence of the war to end war, is going to be much less of a sporting event, much grimmer and graver, than the 1914–18 struggle. Hardly anything sharpened the temper of the British troops then. They wouldn't even call the Germans " Huns "; they called them " Fritz " and " Jerry," they treated their prisoners with a certain derisive affection, they respected the cry of " Kamerad " right up to the end. I doubt if they are going to behave in quite the same way to the young Germany of Hitler, wearing its thick boots (that have stamped in the faces of Jewish women), its brown shirts, that recall the victims smothered in latrines and all the cloacal side of Hitlerism, its swastika—ignorantly stolen from the Semitic stone-age peoples; oafish and hysterically cruel. I guess that in face of this material the bayoneting this time will be done in a different spirit.

Grimmer and more serious warfare. . . . Not only are we likely to hear less of " Fritz " and " Jerry," but presently our own young men, whose lives are being crippled and disordered, will be found less amenable to the delights of being real " Tommies," of hearing endless jokes about

" better 'oles " and " Old Bill," of being entertained by troupes of third-rate comics, inundated with cigarettes and sent chocolate boxes and Christmas greetings from quite the most eminent people. " We are here to clean up something," they will say, " something you gentlemen and ladies who are picnicking so bravely and merrily in evacuated and carefully camouflaged ministries ' somewhere in England ' failed to clear up after 1918. Will you get on with it this time so that we can come back to a real worth-while life? What exactly are you doing and what are you going to do, to stop this sort of brutality and foolery for ever? If we are assured you are doing something effective, we shall not grudge our sacrifices, but if we are to have all this pseudo-cheerful muck dug up, to remind us that this is just the dear old 1914–18 over again, well—the morale of this army may suffer."

The least we can do, we elderly civilians who sit warm at home, protected by enormously exaggerated and madly expensive precautions from risks of the nature of one in ten thousand or less, is to work out what the country is fighting for and see whether this time we cannot get the goods delivered. We have to give our utmost to so co-ordinating and implementing the motives of the real fighters as to make them effective, and that is why we demand something more comprehensive, more lucid and more binding upon these

gentlemen at Westminster and in the hide-outs than vague speeches and promises. The "Tommies" were promised a land "fit for heroes" last time. Let their sons bear that in mind. This time we want that sort of thing signed and in writing and defined and clear, we want to be sure that that p omise has secured priority, before we get deafened and blinded by the fighting.

Now in this first draft which was made for that Declaration of Rights which is absolutely necessary, if the war is to reach any rational end—if, that is, we are to "end war"—the repudiation of the brutality that has so greatly stirred us to combat, is put not as the first clause but as the ninth. In a subsequent chapter it will be shown that it does in fact depend for its effective realisation upon preceding propositions of a more general character, but for our present purposes there is no reason why we should not pass upon hat clause now. Here it is:

"(9) That no man shall be subjected to any sort of mutilation or sterilisation except with his own deliberate consent, freely given, nor to bodily assault, except in restraint of his own violence, nor to torture, beating or any other bodily punishment; [he shall not be subjected to imprisonment with such an excess of silence, noise, light or darkness as to cause mental suffering, or to imprisonment in infected, verminous or

otherwise insanitary quarters, or be put into the company of verminous or infectious people]. He shall not be forcibly fed nor prevented from starving himself if he so desire. He shall not be forced to take drugs nor shall they be administered to him without his knowledge and consent. That the extreme punishments to which he may be subjected are rigorous imprisonment for a term of not longer than fifteen years or death."

In this I have put certain phrases in brackets because they may be considered too detailed and redundant, but they are put in nevertheless, as so many provisions of Magna Carta were put in, to point a finger directly at some conspicuous contemporary abuse. And does the reader subscribe to that Clause 9? And if not, what has he against it? Shall we amend it, re-phrase it, bind ourselves to fight for it whenever necessary, or admit that the things we have cited in that clause are things that may be legally done by anyone in power, to us and our fellow creatures? The Nazis and the Communists think they are, and that is one main reason why we are under arms and at war.

The recently published White Paper makes it plain that *our Government has known for some time* that such things were going on, and yet that up to a late hour it was willing to make peace with those who are responsible for all these tortures and murders the White Paper now substantiates.

I suppose if our Government had after all made that eleventh-hour peace, then all that is in the White Paper would have been hushed up. We should have sat down to our Christmas dinner thanking God for Mr. Chamberlain and ignoring the concentration camps altogether. And this incalculable Government of ours is still quite capable of sitting down in some sort of Conference with the Nazis, the White Paper forgotten. We have no assurance that it will hold firmly to these common human rights for whose sake alone our people are willing to fight.

And so we want our Government to declare for these rights unequivocally—or get out.

CHAPTER III

## HABEAS CORPUS

WE are fighting this war for human freedom, for ending the perpetual tension of war, and a better way of living, or we are fighting for nothing worth fighting for. If we are to have a declaration of rights that will fully embody these aims and provide a sound basis for a new world order, much has to be added to that mere repudiation of manhandling and violence contained in the clause we have just discussed. We have next to frame a clause to ensure personal freedom.

In the draft declaration on which the present discussion is based, this was dealt with in Clause 8. Originally this clause provided merely that a man " unless he is duly certified as mentally deficient," etc. This obviously excluded certified mental defectives, who were a different class altogether from lunatics, and it ignored certain glaring defects in the existing law affecting these unfortunates. The clause has since been amended in accordance with expert advice by the substitution of the words italicised. So amended it runs:

" (8) That a man *unless he is declared by a competent authority to be a danger to himself and to others through mental abnormality, a declaration*

*which must be annually confirmed*, shall not be imprisoned for a longer period than six days without being charged with a definite offence against the law, nor for more than three months without a public trial. At the end of the latter period, if he has not been tried and sentenced by due process of law, he shall be released."

The italicised amendment has evoked no hostile criticism at all. There has been a very enthusiastic endorsement of the proviso that the certification of the lunatic and mental defective shall be annually renewed. Hitherto the practice has been to say, " Once a lunatic, always a lunatic," and these words will introduce an element of hope into the lives of a peculiarly unhappy and often cruelly victimised class of human beings. I know of no practical objection to them, except in so far as the refusal to recognise that there are incurable lunatics may necessitate some modification in the phrasing of the current divorce law. But it is better to give our legislators a little trouble than to damn men for life.

Next it has been pointed out that even at present an arrest without a charge for even six days is against the theory, if not the practice, of English and American law. A man, it is said, unless caught red-handed should not be arrested without a warrant and that implies a charge made. Common sense and common practice mitigate this, and, for example, people are arrested for loitering

under suspicious circumstances, they may be searched and so forth. I think it may be in the public interest in certain cases to give the police that *maximum* of six days in which to prepare and assemble evidence for a charge, but those who are better acquainted with the practices of the criminal law will know how far this extension of time might be abused. The rest of the clause as drafted is merely Magna Carta, adapted to the more speedy facilities of the present time.

But it is alleged by another group of critics that this Clause still leaves certain matters unsettled. There again I admit difficulties. They centre upon the idea of conscription. It is objected to the Declaration as a whole that it says much about rights and nothing about duties. It may be true that anyone who observes the rights of others to the full extent of the Declaration, has already undertaken very considerable obligations, but that does not dispose completely of this objection.

The valid criticism that still remains is to be found very competently set out by William James in a small but very important book, *The Moral Equivalent of War*. He finds, and one must remember he was a very great and subtle psychologist, something very unsatisfactory and impracticable in the prospect of a world of peace and security in which everyone is to move about freely without any sense of ownership in the

community, participation in the community or obligation to the community. The more collectivist we become—and continually we become more collectivist—the more the sense of proprietorship has to be transferred to the community as a whole. The community is something to which we look for the protection of our rights indeed, but it is also something we have to take care of and serve. And this is not to be attained by mere preachment and sentiment.

And so he suggests a universal conscription for one or two years of the formative period of life, somewhere between sixteen, let us say, and twenty-five, during which the young citizen, man or woman, will have to undertake some of that residue of unpleasing, irksome, dangerous or subordinate work that must still be done, whatever feats of mechanism or organisation the future may have in store for us.

There are, for instance, the prisons, the lunatic asylums, the hospitals to be staffed, much of what is now called " menial service "—there will still be handing round and washing up to do, even if there is no arbitrary " ordering about "—many toil ome industrial operations, in mines, fisheries when the ships go out in all weathers, sanitary work. This sort of work is too abundant to be paid for highly and too unattractive for volunteers, and in any equalitarian state in which there are no longer subject races, it can only con-

ceivably be done by *fags*, whose drudgery will presently be lifted in rotation from their shoulders.

No doubt the officers who will direct these services will be highly skilled and highly paid specialists, but the rank and file cannot be paid magnificently. Yet when it comes to a Declaration of Rights, it seems to me that this conscription has to be assumed as a possibility, rather than proclaimed as a duty, and so I suggest adding to that draft Clause this:

"Nor shall he be conscripted for military or any other service to which he has a conscientious objection."

And having passed upon this Habeas Corpus Clause, we have now to take up the difficult question of laws and regulations. These world citizens for whose immunity and liberty Clause 8 and 9 have now provided, have to live in regulated relationships with each other. How are regulations and laws to be made in a democratic state so as to preserve the essential quality of democracy?

CHAPTER IV

## DEMOCRATIC LAW

IN a democratic state there are or should be laws of three very definite sorts and very different grades of importance. First of all there should be the *fundamental law* expanding and implementing the Declaration of Rights, and protecting the individual adequately from any abuse of administrative authority. The primary duty of the legal organisation is to sustain these liberties.

But next comes a great body of law which has no relation to any moral issue whatever, and that is law to enforce conventions, *conventional law*. A typical convention is the rule of the road. There is no reason whatever in the nature of things why one should travel on the right side of the road rather than the left or *vice versa*, but traffic only becomes tolerable if a rule, a fundamentally irrational rule, is rigorously sustained with pains and penalties as a last resort. Another convention is the law against forgery. It is really a charming exercise, calling for the most delicate artistic gifts, to make an indistinguishable facsimile of the signature to a cheque, and still more so to imitate a monetary note, colour, texture and all, but since the whole system of commerce would

break down if that sort of activity were permitted, it is an offence by convention and made crushingly punishable. These conventional laws belong to an entirely different order from the protection of fundamental rights. They need to be made with elaborate precautions against abuse or hardship.

A third type of law, *administrative law*, which may in some cases overlap the second, includes the enormous mass of legislation needed for the exploitation of the natural resources of the world in the common interest, and the prevention of waste and devastation by incoherent and short-sighted enterprise. This involves immense appropriations to technically competent authorities and their right not only to use and take, but to forbid and penalise the misuse of regions, minerals, forests, soils, waters. To restrain these delegated authorities from anti-social deterioration, and maintain their efficiency, it is plainly necessary to have the most outspoken and unrestrained criticism, discussion and publicity, and a definite power of calling these various administrative bodies to account.

Now here arises a problem in politico-legal organisation which cannot be solved except in a very general manner in such a discussion as this. Possibly the best method for dealing with an unsatisfactory administration of any type would be for a sufficient number of citizens to be able to demand a recall, an enquiry and if needed a

reconstruction. But I will not develop that now. The point to make clear is that there are these three sorts of law: (*a*) the law of fundamental rights, (*b*) conventional law, to establish necessary conventions, and (*c*) administrative law, which becomes more and more important as human affairs advance towards collectivisation, the enormous and various law of economic and social organisation. So far as (*a*) goes, everyone should know the law; so far as (*b*) goes, everyone affected should know the conventions; but so far as (*c*) goes, the whole framework of laws is beyond any single person's knowing it and it needs to be clearly codified and continually revised and made easily accessible, so that anyone affected can easily inform himself upon the issue that concerns him.

Now in the light of this prelude we come to the tenth clause of that proposed declaration of rights, and it is evident how entirely inadequate was that first draft, and how necessary is an adaptive amendment. The minds of the framers of the original draft were manifestly so concentrated upon the Rights of the Individual (*a*) that they overlooked (*b*) and (*c*) entirely and so framed the clause as follows:

"(10) That the provisions and principles embodied in this Declaration shall be more fully defined in a legal code which shall be made easily accessible to everyone. This code shall not be

qualified nor departed from upon any pretext whatever. It incorporates all previous Declarations of Human Right. Henceforth it is the fundamental law for mankind throughout the whole world."

Now that can be amended by substituting in the first sentence for " a legal code," " a code of fundamental human rights." But that still leaves it necessary to adjust law (*a*) to the powers needed by the conventional laws (*b*) and to the vastly complex requirements of law of type (*c*). And for that, something of this sort needs to be added.

" No treaty and no law affecting these primary rights shall be binding upon any man or province or administrative division of the community, that has not been made openly, by and with the active or tacit acquiescence of every adult citizen concerned, either given by a direct majority vote of the community affected or through the majority vote of his publicly elected representatives. In matters of collective behaviour it is by the majority decision that men must abide. No administration, under a pretext of urgency, convenience or the like, shall be entrusted with powers to create or further define offences or set up by-laws, which will in any way infringe the rights and liberties here asserted. All legislation must be public and definite. No secret treaties shall be binding on individuals, organisations or communities. No orders in council or the like which extend the

application of a law shall be enforceable. There is no source of law but the whole people, and since life flows on constantly to new citizens, no generation of the people can in whole or in part surrender or delegate the legislative power inherent in mankind."

So we can dot the i's and cross the t's of our original intention in Clause 10. As it stands thus underlined and corrected, I submit that it supplies a fairly adequate protection for our liberties. But the authors of the Declaration also drafted a fourth clause, which may seem to some people an unnecessary amplification of Clause 10. This and the reasons for including it, we will now discuss.

CHAPTER V

## THE NEW TYRANNY OF THE DOSSIER

IN this draft Declaration of the Rights of Man we are discussing there is one other clause affecting personal liberty, Clause 4, that I now realise was misplaced. It should stand apart from the clauses providing for man's economic security. It should come immediately before Clause 8 dealing with the imprisonment and trial of the citizen. It aims at a vast jungle of private and administrative abuses in which nearly all our lives are now entangled, a jungle enormously fostered by warfare and the preparation for war. In its thickets governmental activities can interweave with, and at last become indistinguishable from organised crime.

The clause, amended by a word or so for the sake of greater explicitness, runs as follows:

"(4) That although a man is subject to the free criticism of his fellows, he shall have adequate protection from any lying or misrepresentation that may distress or injure him. All administrative registration and records about a man shall be open to his personal and private inspection. There shall be no secret dossiers in any administrative department. All dossiers shall be accessible

to the man concerned and subject to verification and correction at his challenge. A dossier is merely a memorandum; it cannot be used as evidence without proper confirmation in open court."

Very modestly but definitely this clause strikes at the forces and tendencies of our time that are rapidly diffusing a taint of insanity through the whole of human life. The enormous change in human conditions to which nearly all our present stresses are due, the abolition of distance and the stupendous increase in power, have flung together the population of the world so that a new way of living has become imperative, have not only made warfare more disorganising and inconclusive but have also made its methods more socially penetrating and disconcerting. The elaboration of methods and material has necessitated a vast development and refinement of espionage, and in addition the increasing difficulty of understanding what the warfare is really about has produced new submersive and demoralising activities of rumour-spreading, propaganda and the like, that complicate and lose contact at last with any rational objective. Any fool can tell a lie and too many fools like doing so. The sub-human malicious mischief of the young men a generation of Catholic education has produced in Southern Ireland, their senseless burning of letters in pillar boxes, their indiscriminate cutting of telephone

wires and so forth, are a reminder to all of us how little mankind at large has risen above the level of an exceptionally spiteful ape, and how soon our kind can sink back again to that level. The White Paper on Nazi cruelties displays the same atavism in a heavier and filthier form. Warfare or sub-warfare, by releasing these baser impulses to opportunity, abolish that confidence and candour which alone make free, happy and generous living possible. The gallant, sure and open life has become impossible. In a brief third of a century it has become impossible.

The crowding together of mankind, the abolition of the non-combatant and the concentration of governments upon intensive militarism, to the relative neglect of education and training for the civilised life, have forced us all, whether we like it or not, into a state of insecurity, suspicion and precaution. Trust is evaporating. We live, from the dictator with his bodyguard of blackguards down to the humblest creature among us who may be robbed, raped, beaten up or enslaved, in the shadow of fear. It becomes more and more difficult to keep a mental balance and not to give way to storms of exasperation.

The uprooting of millions of people who are driven into exile among strangers, who are forced to seek new homes, produces a peculiar exacerbation of the mental strain. Never have there been such crowds of migrating, depressing people.

They talk languages we do not understand, they have queer ways; they are not at home with us; they are often quite unaccountable. They stimulate xenophobia without intention; they cannot help doing it; and among them, finding a convenient cover among them, are the spy and the agent provocateur. It is no good pretending they are all innocent and harmless. They can be not only definitely malignant but without any malice they can be a serious economic disturbance. Their necessary discordance with the new populations they invade releases and intensifies the natural distrust and hostility of man for man—which it is the aim of all moral and social training to eliminate—to a dangerous degree.

One feels a certain justifiable wariness towards these outlanders, until one learns their forms of behaviour; until one realises that they may do this but they can't do that, and so on. The ideally wise man may be able to retain such an observant balance, but normal people tend either to collapse into a sort of hysterical trustfulness on the one hand, or fall on the other side into exaggerated suspicion mania. The majority seem to fall on the side of mania, and under the stimulus of this mania there has accumulated a vast tangle of emergency legislation, regulations, barriers and restraints, out of all proportion to and often completely missing and distorting the needs of the situation. For the restoration and modernisa-

tion of human civilisation, this exaggerated outlawing of the fellow citizen whom we see fit to suspect as a traitor or revolutionary and also of the stranger within our gates, has to be restrained and brought back within the scheme of human rights.

Mingling with this factor of suspicion become frantic, there is also another unpleasant trait in our sinful make-up, and that is the craving to exercise power. Here is a great new opportunity for this craving. Enormous possibilities of insult, annoyance and frustration, enormous possibilities of inflicting needless anxiety, loss and misery, have been put in the hands of minor officials, and in many cases they are being exercised to the full, maliciously and needlessly, to the increasing distraction and embitterment of life. People find themselves now restricted in their movements, interned, expelled from countries, denied the common amenities of social life, on secret information, without any charge, without explanation, without the right to plead.

The net catches the foreigner first, but it spreads very readily to the native " agitator," to the " troublesome " employee, to the unjustly dismissed " radical " among the workers. In the public services it takes the form of the " secret and confidential " report. In such cases, indeed, the less a libel is published the greater the injury it may do. People jump at evil interpretations

and the mischief is done. A man may be blighted for his lifetime by a misconception or a lie. He may never know clearly what entangles him. And so the framers of our Declaration worded a very explicit special clause against this lurking and increasing menace.

The primary objective of every sane social order is to banish fear—not necessarily to abolish danger, which by itself can stir men very pleasantly —but fear, from human life. Confidence and assurance are the essence of brotherliness; there is no ease in intercourse, no civilisation, without them. Fear lies very near the surface of most animal life, but it need not do so in the life of man. It need not, but it does, and then it becomes a far more dreadful thing than mere animal fear. It does not pass. It goes on and on, and it gnaws.

Man, because of that restless excessive brain of his, complicates every issue in his life beyond comparison with the mental complexity of any other animal. He can go mad. A " mad " bull is a bull in a rutting fury or a blind rage, it just " sees red "; a " mad " dog is an animal with a feverish infection; they are not really " mad " in the elaborate, disordered way of human madness. But man can err and err fantastically, entanglement behind entanglement. He can go " off the lines " of reason altogether. He can meet trouble more than half way and so

break down under his worries and disappointments as to become " certifiable."

And that now seems to be happening to mankind as a whole. We are all in it. We are none of us as sane as our self-satisfied, limited, confident grandfathers. We are all fighting within ourselves for self-control. Unless we can struggle through the mounting perplexities of to-day, to a new world order of law and safety, unless we can keep our heads and our courage, so as to re-establish a candid life, our species will perish, mad, fighting and gibbering, a dwindling swarm of super-Nazis on a devastated earth.

P.S.—Certain practical considerations which necessitate a modification of this dossier clause are discussed at the end of Chapter XI.

CHAPTER VI

# THE RIGHT TO SUBSISTENCE

So far in this discussion of human rights we have dealt mainly with the assertion of personal freedom, because that is the aspect that comes first to mind as a primary war issue now. When we oppose the " democracies " to the " dictatorships," that is what we have in mind. The clauses we have considered have been political and legal, and so far our Declaration has followed in the footsteps of its mighty predecessors from Magna Carta to the Declaration of the Rights of Man.

To make a sweeping generalisation, the outline of the history of the Parliamentary peoples from the chaos of the early dark ages onward may be presented as a struggle for adjustment between a growing central power, typically represented in the past by the sovereign, and the free spirit of man. As human society recovered from that age of confusion, and as production, trade and population expanded, the need for larger unities of management became apparent. The King's law appeared, there was a consolidation of management, more and more regulation.

This Government law, this administrative law, I have already discussed, and distinguished sharply

from the primary law of personal rights. It is law of a different nature.

With every step towards consolidation, we find the individual threatened in his independence and struggling to set up legal barriers to defend it. It is almost like the beating of a heart. There is a systole in which power is drawn together at the centre and then a diastole in which liberty asserts itself. But it is not exactly like a heart beating. It would be, if each time that heart grew, so that each time the rhythm recurred on at larger scale. It is not simply increase of government, rebellion, increase of government, rebellion, increase of government, rebellion. It is increase of government, rebellion, *adjustment*, increase of government, rebellion, *adjustment*, and so on. After each phase of the politico-social struggle, the two forces of consolidation and freedom arrive at a compromise. Neither defeats the other. The individual surrenders his independence and co-operates socially, for the price of a more and more explicit protection of his personal freedom. From Magna Carta to the Declaration of the Rights of Man, that see-saw between administrative consolidation and individual initiative has gone on. The administration has become progressively more extensive, penetrating and compulsive, the legal defence of liberty more explicit.

That has been the pattern of English history

for nearly a thousand years. You could head every page in a text-book of English history, "The central power grows" or "The central power is restrained." The story is complicated by a parallel rhythm between the developing national governments and the Church. Throughout the story, the Church, inheriting the claims of the Empire, is struggling to consolidate a supra-national power in Rome, and the Princes and Kings are making their declarations and defiances, which culminated in the Reformation. Matters of belief enter into that conflict, which led to no general adjustment, but the crude antagonisms of the struggle, growth of organisation *versus* liberty, are the same.

The rhythm repeats and complicates itself. The Baron may be protecting himself against the King and at the same time oppressing his underlings. The King may get the better of the Baron by granting charters and protection to the cities, and enlisting their train-bands on his side. But analysed to its final elements it is the same story of the legal protection of the subordinate against the concentrating power. It is the same rhythm.

But now consider how things are with us at present. For the past century and a half there has been a relatively tremendous increase in the administrative scope of governments. Human affairs have been forced towards that unification

and simplification of control, that transference of directive power in economic matters from private groups and organisations to a central directorate, which is what we call socialism. Socialism is being forced upon mankind everywhere by forces so nakedly manifest that only people as profoundly miseducated as the British political class can fail to see their significance.

But since the Mandarinate faded out of Chinese affairs, the British academic world and the education it controls have become the most highly organised system of self-complacent backwardness in existence. Repeating once again to these learned gentlemen who, by precept and examination, determine our general education and our popular ideas, the plain facts of the human situation, is almost as hopeful as talking business to a man in a drunken coma or showing photographs to the blind. How well I know it! I have tried to talk the plain A.B.C. of this business to these university people meekly, modestly, apologetically, and I have got nothing but a patronising smile; tiring at last of that smile, I have tried gross insults, in *Travels of a Republican Radical in Search of Hot Water*, for example; I have tried derision in such squibs as *The Camford Visitation*. . . . Once again I will recall the essentials of the matter, though indeed they are as plain as the sun of a cloudless noon.

*The abolition of distance and the overwhelming*

*development of power in the world during the past century have rendered unco-ordinated political and economic controls more and more monstrously wasteful and destructive. They have to be brought together under a collective direction, a political and economic world order, or our race will blunder to complete disaster. The whole drift of things is towards political and economic collectivisation, or disaster.*

Surely these three sentences have meaning! But do they convey anything whatever to the academic or governing-class mind? Apparently nothing whatever. They do not even argue about them. They do not seem to think these statements need to be confuted. "Look!" you say, "*collectivism is happening now!*" They just go on, as automatic as insects. It is like crying "Fire!" to a stone-deaf man. The Foreign Offices cling to sovereignty and big business clings to its advantages.

Collectivisation, with a crude disregard of proprietorship and individual enterprise, has taken possession of Russia and the totalitarian states, and in the form of the New Deal it struggles to take possession of America. With infinite reluctance even the British system to which these government people belong is being forced, backward and protesting, towards the same end. Everywhere we are coming under controls: the rich are being taxed out of power and influence;

and yet this system of government, idea-blind, totally unprepared for the task, is under our horrified eyes assuming the management of a new British muddle-headed collectivist state.

That is where we are, and I dare to prophesy that in another score or so of years there will be no governments in the world worth talking about, there will be a mere welter of brigands and gangsters, unless we are all as collectivised as are Russia and the totalitarian states now, and—which is the riddle in the outlook—in some sort of common accord.

That is where the opportunity and responsibility of the Parliamentary peoples and their "democratic" tradition come in. This collectivism which is rolling down upon us from the East knows nothing of the tradition of personal rights. There have been no Magna Cartas east of the Rhine. It is a collectivisation in the dark; even when it is honest it is passionate, dogmatic and impatient of criticism. In the darkness it is bound to blunder into paternalism, absolutism, dishonesty, inefficiency, confusion and disaster.

Hitherto, as I have shown, in our tradition, in our Atlantic world, it has been our usage to meet every increment of centralisation with a reassertion of individual liberty. That see-saw between administrative law and fundamental rights which has been our history for centuries

has now to be resumed, upon a vaster stage. And with extreme urgency. We could not escape collectivism even if we desired to do so, but we can see to it that it is collectivism in the freedom and the light.

And this time we have to go far beyond that assertion of individual liberty that has hitherto satisfied our ancestors. The new collectivism is taking possession of the entire economic life of the world, and so it is necessary to insist now upon certain claims and rights, that are very generally conceded in practice and sentiment, but which have still to be definitely asserted. The economic factor has to emerge now side by side and merging with the political. . . .

This is a brief summary of the principles underlying the next group of clauses of our draft declaration which we shall now consider. In the draft, these claims for the most part precede the political ones. We have put them aside until now because those political claims seemed likely to appeal most immediately to those concerned about the present phase of the world struggle. But now we will go back to the earlier and more fundamental issues. We began our original draft with a very brief exordium followed by a first clause, as follows:

" Since a man comes into this world through no fault of his own, since he is manifestly a joint inheritor of the accumulations of the past, and

since those accumulations are more than sufficient to satisfy the claims that are here made for him, it follows:

> (1) That every man without distinction of race or colour is entitled to nourishment, housing, covering, medical care and attention sufficient to realise his full possibilities of physical and mental development and to keep him in a state of health from his birth to death."

That has since been amended by substituting the words " without distinction of race, of colour or of professed belief or opinions." That is to say, there are to be no outcasts at all in the new world order.

A further suggestion by an indignant lady who wanted to insist upon Women's Rights, has been ignored. " Man " in these Declarations obviously means any living specimen of *Homo sapiens*, male or female, young or old. We regret our constant use of the pronoun "he," but we did not make the language. The Aryan languages are, we admit, a little over-sexed. If the lady will try substituting " the individual " and " the individuals " in our Declaration, and then read it out aloud, she will find it much less satisfying.

Another woman critic demanded a more explicit definition of the rights of parents, the rights of mothers in their children, marital rights and other obligations. Our Declaration, we may note in

passing, does as amended give votes to women on exactly the same terms as men, gives them immunity from assault and from restraint, and will, as we shall presently see, protect their property, but we have failed to discover any sort of intersexual behaviour that can be brought within the scope of an elementary Declaration. The nature of the marriage contract, the rights and liabilities of paternity and maternity, how far the community will leave a child under parental control, the protection of minors, the definition and treatment of sexual offences, all fall into the category of administrative legislation and may vary quite conceivably with locality, climate and changing beliefs. There is no reason why particular religious organisations should not have their own special types of contract recognised. It is not a question of elementary liberties.

Magna Carta has a lot to say about wards and heiresses, to remind us of a time when women were still largely chattels. We have grown out of that.

Collectivisation has not yet reached, and it may never reach, to a biological control of mankind. The positive eugenics of mankind is a mere speculation of the theorists, and we do not believe that the science of genetics is sufficiently sure of itself, for such negative eugenics as the compulsory sterilisation of types capable of transmitting evil hereditable traits.

And even if we had that much science, human nature as it is at present revolts against the idea of sterilisation without consent. But there is no reason whatever to forbid it to a willing adult who finds his desires at war with his conscience or his happiness.

CHAPTER VII

## THE RIGHT TO WORK AND TO HAVE POSSESSIONS

To a large extent the obligation to provide subsistence, shelter and care is already recognised in practice in the more civilised regions of the earth. Ever since the organisation of the Poor Law in England (outcome of More's *Utopia*), there have been food of a sort, shelter of a sort and medical help of a sort for everyone. The quality of this aid has gradually improved. The remnants or rudiments for what that subsistence clause demands are already in existence. All that is demanded is that they be made efficient, world-wide and freed from any suggestion of charity.

These elementary needs can be provided without any great use of money. Few of us realise how many people are now paying a mitigated rent in houses whose building has been subsidised in some way, are getting ninepence for fourpence in their medical attention, are being fed subsidised food. They hike from hostel to hostel which earn no profits; they disport themselves in parks which exact no rent. Few of us, unless we talk to imaginative young architects, have any con-

ception of the sweeping economies and the comforts and beauty that could be effected if we went a step or so further, swept aside the last vestiges of profit and private appropriation and set ourselves as a community to replan and rebuild town and countryside.

It is entirely practicable so to order things that a man may, if he sees fit, go through life without doing a stroke of work, living in a comfortable domicile, walking if he likes from place to place, finding rest homes and free meals wherever he goes, wearing decent clothes. He may lie in the sun and watch the world go by. And why not? The modern community can afford all that now. It may, as William James suggested, conscript him for a year or so, and then he will be free again for the rest of his life. But——. He will have no pocket money and possibly he may feel a little bored and out of things.

We will come in a paragraph or so to that question of pocket money. But first let us complete the account of the gratuitous services the community will do him, and note also an additional assertion about his freedom.

Clause 2 of our draft Declaration, after certain additions, runs as follows. The additions are put in brackets.

"(2) That he is entitled to sufficient education to make him a useful and interested citizen, [that

special education should be so made available as to give him equality of opportunity for the development of his distinctive gifts in the service of mankind,] that he should have easy access to information upon all matters of common knowledge throughout his life and enjoy the utmost freedom of discussion, [association and worship]."

That completes, rather untidily perhaps, the list both of the gratuitous services and of the liberties to which under modern conditions we conceive a man has a legal right. And now we can deal with the right to work and the rights of property, that are necessary to the satisfaction of the restless and creative urgencies in his nature. Clause 5 runs as follows :

" (5) That he may engage freely in any lawful occupation, earning such pay as the need for his work and the increment it makes to the common welfare may justify. That he is entitled to paid employment and to a free choice whenever there is any variety of employment open to him. He may suggest employment for himself and have his claim publicly considered, accepted or dismissed."

Here money appears upon the scene. A civilised, united and progressive world will be continually replanning itself, rebuilding itself, conducting research, learning, teaching, and thrusting forward into new experiences. It will have to interest and employ a healthy, well-fed

population, or face the social dislocation, the possible return to destructive activities and war, its accumulating energy will produce. A large part of the present troubles of our world are due, not to want and insufficiency but to an excess of energy which overflows into war and the preparations and training for war, because we have no other channels ready for it. The monopolisation of natural resources by private ownership and private finance, so that the hands of the worker cannot reach them, and the plain necessity for mankind to break through these barriers and liberate these hoarded resources, make such efforts and communism and totalitarianism inevitable. These efforts may be so crude as to blunder at last into war; but until the attack on Finland developed and the mental and moral deterioration of the Soviet Government became manifest, Communism in Russia showed very little disposition for more than precautionary and defensive war. It still seems to be the delusion of the conservative interests in the world that in some way this unchaining of the hoards can be averted. Our subsistence clause very modestly but definitely dispels that dream. "Tax," it says in effect to government, "buy out with money you can presently inflate, or simply appropriate. *These frozen resources must be released.*"

And as the new collectivised state develops the arts and science of management and increases

production, it will pay its willing workers in money based on that increasing production, expanding in amount with production, and being in fact no more and no less than a check, giving a call for a definite amount of the surplus products of the community after the elementary requirements of Clause 1 have been satisfied.

And to enforce these ideas, our draft Declaration of Rights proposes the following two clauses, certain aspects of which will necessitate a discussion of the possibility and limits of speculation in a civilised world system. Here are the clauses as they were originally drafted.

" (7) That he shall have the right to buy or sell without any discriminatory restrictions anything which may be lawfully bought or sold, in such quantities and with such reservations as are compatible with the common welfare."

" (3) That he and his personal property lawfully acquired are entitled to police and legal protection from private violence, deprivation, compulsion and intimidation."

Are these two clauses as they stand, sufficient to protect the goods of the common citizen from the restless clutch of the dishonest official on the one hand and the entanglements of debt and speculative adventurers on the other ?

CHAPTER VIII

## FREE MARKET AND PROFIT-SEEKING

LET us now repeat what were originally Clauses 7 and 3 in that first draft of the Declaration of Rights in *The Times*. Let us recall them for a closer scrutiny. The re-arrangement that this discussion has forced upon us made it fairly plain that these clauses, however they may stand to the personal liberty clauses, need to be grouped together with clause five in the order five, seven, three, thus:

"(5) That he may engage freely in any lawful occupation, earning such pay as the need for his work and the increment it makes to the common welfare may justify. That he is entitled to paid employment and to a free choice whenever there is any variety of employment open to him. He may suggest employment for himself and have his claims publicly considered, accepted or dismissed."

"(7) That he shall have the right to buy or sell without any discriminatory restrictions anything which may be lawfully bought or sold, in such quantities and with such reservations as are compatible with the common welfare."

"(3) That he and his personal property law-

fully acquired are entitled to police and legal protection from private violence, deprivation, compulsion and intimidation."

We have to face the realities of human nature; we are discussing a project for a liberal and hopeful world order among our weak and sinful selves and not the prospectus of a millennium. We have to recognise that people will always find a way round a law if there is a way round. We have therefore to consider how we might cheat the good intentions of these provisions.

As the structure of the collectivised state increases in complexity, the opportunities of dictators and high officials in the network of public services, to wangle advantages and reserve this or that desirable thing for their own private gratification will increase and will need to be watched by an alert public opinion. The right of free public criticism will probably keep abuses of this sort within tolerable limits, but it certainly will not abolish the ineradicable craving for advantages. Administrative law may provide pains and penalties for this or that sort of contravention as it becomes flagrant, and that is about all that we can hope to achieve by legislation.

In one respect however our declaration can anticipate a very probable unfairness. What is in view when we talk of property here is individual ownership in a multitude of desirable and

delightful things, beautiful books, pictures, objects of art generally, jewels, rare specimens, vintages, exceptional textiles, material for research or artistic work not sanctioned by the administration but sustained by private initiative, exceptionally desirable sites for houses and so on. To obtain all such things many people will be eager to earn money. We have to see that they get their fair choice of things, when they have earned their money.

We will take something very simple and obvious to illustrate the considerations involved. Let us assume there is a peculiar tract of country in the West Indies, which produces tobacco leaf of an exceptional quality which can be manufactured into cigars that a considerable number of people find delightful. It would be an absurd thing for an intelligent administration to do anything else but produce those cigars. How are they to be distributed? An obvious abuse would be for an administration to reserve this brand of cigars for favoured friends either as gifts or as reserved purchases. That can be checked as malversation and embezzlement. The just and proper thing would be to sell them in open market at the maximum price people would offer for them. So far so good.

But now what are we to do if some people want to buy up this brand of cigars not to consume them but with a view to storing them, limiting

the release of them and so squeezing up the price that only a few very rich and self-indulgent smokers would be able to get them? Some of the cigars might have to be wasted or destroyed in order that a profit should be made. There is no simple answer to that problem. There is nothing about it we can put into a fundamental law. But that is why we do not declare for an indiscriminate right of purchase in Clause 7. We have to leave it open to administrative law to struggle against such forestalling, regrating and profiteering by regulating sales.

What is said here of cigars applies with equal force to all delightful things, from pearls and precious stones to masterpieces. Even nowadays such things have a general tendency to drift into museums and public galleries and it is a dismal outlook to think of a world where all the loveliness is in corridors behind glass. It has been suggested that many of these things that we want to own and cherish should not be sold but hired out to the highest bidder, who should not be free to sub-let. There is already a Picture Hire company in existence. There may be a considerable check upon buying for profit in this idea.

And when we speak of things being " lawfully " bought and sold, it is because we have to realise that a very great number of things, staple products, land, productive plant and shipping, for example, will, under the completer phase of collectivisation

towards which we are moving, be unsaleable and unbuyable. Prospective work may fall under the same restrictions. Joint-stock enterprise is likely to dwindle to very small proportions therefore in that collectivism towards which we are moving. It may in the end prove to have been a quite transitory thing in human experience.

That strange social element in the history of the past three hundred years, the shareholder and the Stock Exchange which still provides him with so much hope and anxiety—mostly anxiety nowadays—may disappear almost altogether. Such organisations as the Unit Trusts of to-day show how easy it would be for the administration to take charge of any money the ordinary man might want to save. Whether it could afford to pay him interest and whether it would compensate him for the secular inflation that must necessarily accompany increasing production, are questions with which I will not complicate the present discussion. I am simply pointing out the reason for the insertion of " lawfully " in the clauses under discussion.

Nor will I discuss how far a sage world administration would find it necessary to restrain betting and gambling. Most modern governments betray a distrust for this mean form of excitement. Money in a collectivist system is essentially pay for service to the community. It is paid in order that it should be spent either upon the surplus

goods produced by the community as a whole, over and above its basic human needs, or else upon those individual private productions that are too questionable or novel or experimental for the administration to undertake. The sooner money is spent upon a product or a service the more it activates the world. The less it is held up or played about with, the better.

Our Declaration of Rights, because of its insistence upon the right to subsistence, makes it impossible for anyone to destroy the freedom of his fellow men by the manipulation of money or property. It is probable that debt will not be allowed to pile up against a man, and payment may be enforced only against those who have received adequate value in service or substance. These are all legislative matters of the third order. We envisage a world in which there will indeed be inequalities between man and man, but none will have power over another, and none will have such a disproportionate fortune as to jostle and humiliate his fellows. It will be a world of infinite variety and incessant change.

Some gambling there will probably be. The individual who finds a zest in playing for money and the charming young person who likes to receive presents, will be with us as long as humanity is humanity. No revolution will rob life of its minor parasitisms, its comedies and petty injustices. Conceivably the turf and

the dogs may survive the greatest change in history.

One may doubt whether organised lotteries or betting systems that offer large prizes, are socially desirable, but whatever controls may be necessary in a collectivised state is again a secondary issue.

One other clause of our original draft remains to be noted.

"(6) That he may move freely about the world at his own expense. That his private house or apartment or reasonably limited garden enclosure is his castle which may be entered only with his consent, but that he shall have the right to roam over any kind of country, moorland, mountain, farm, great garden or what not, or upon the seas, lakes and rivers of the world where his presence will not be destructive of some special use, dangerous to himself nor seriously inconvenient to his fellow-citizens."

We have replaced that word "roam" by two words, better words they are, from Magna Carta, "come and go." So that not only the spirit but some of the very words of that precursor live in this, its latest offspring.

P.S.—But see a further criticism of this clause six at the end of Chapter XI.

CHAPTER IX

## THE REVISED DECLARATION

THE Declaration, revised in accordance with these various suggestions, was tried out upon a number of casually selected people whose reactions were noted. It was pointed out by a shrewd observer that many of them did not seem to realise either its necessity or its far-reaching revolutionary scope, and that as a matter of fact, without my realising the significance of what I was doing, even when I had sent it to experienced and sympathetic recipients, I had always felt it necessary to recommend it by some sort of justifying preamble. We decided at last that what was at fault was the briefness and dryness of the original exordium.

We had been assuming, which was absurd, that everyone who read it would be as familiar as we were with the concentrated and closely reasoned arguments which had led up to its drafting. We thought that everyone would know and believe what we knew and believed. The Declaration, I may note, even before it went to *The Times*, was sketched out first as part of a book, *The New World Order*, and when it was extracted from that book, we did not realise how much essential matter was left behind. Realising our mistake at last, we

took this exordium in hand and recast it completely, so as to state the quintessence of the human situation which necessitated it. The last thing of this Declaration to be revised, therefore, was its beginning.

The Declaration after this last amendment has been made runs as follows :

" DECLARATION OF RIGHTS

" Within the space of little more than a hundred years, there has been a complete revolution in the material conditions of human life. Invention and discovery have so changed the pace and nature of communications round and about the earth that now the distances that formerly kept the states and nations of mankind apart have been practically abolished, and at the same time there has been so gigantic an increment of mechanical power that men's ability either to co-operate with or to injure and oppress one another, and to exploit, consume, develop or waste the bounty of nature, has been exaggerated beyond all comparison with former times. This process of change has mounted to a crescendo in the past third of a century and is now approaching a climax.

" It becomes imperative to adjust man's life and institutions to these increasingly dangerous conditions. He is being forced, almost in spite of himself, to collectivise what was once a patchwork

of separate sovereign states and at the same time to rescue his economic life from devastation by the immensely enhanced growth of profit-seeking businesses and finance. He is doing this clumsily and blindly, and with a great sacrifice of happiness, and well-being. Governments become either openly collectivist under stress of necessity, or they become the instruments of monopolising financial and business organisations; their power and aggressions increase, they concentrate controls, they subordinate the functions of religious organisations, education and the press to their domination; the direction of scientific and literary work and a multitude of social activities never conceded hitherto to the state, fall into their hands; they are not organised for such purposes; abuses and tyrannies increase, and liberty, and particularly liberty of thought and speech, decays. Throughout the whole world we see variations of this same subordination of the individual to the organisation of power. Phase by phase these ill-adapted governments are becoming uncontrolled absolutisms; they are killing that free play of the individual mind which is the preservative of human efficiency and happiness. The populations under their sway, after a phase of servile discipline, are plainly doomed to relapse into disorder and violence. Everywhere war and monstrous economic exploitation break out, so that those very same increments of power and opportunity

which have brought mankind within sight of an age of limitless plenty, seem likely to be lost again, it may be lost for ever, in an ultimate social collapse.

" It has been the practice of what are called the democratic or Parliamentary countries, to meet every enhancement and concentration of power in the past, by a definite and vigorous reassertion of the individual rights of man. Never before has our occasion to revive that precedent been so urgent as it is now. We of these countries recognise the inevitability of the world reconstruction and world collectivism, but after our tradition we couple with that recognition, a Declaration of Rights, so that the mighty changes in progress to-day shall produce not an attempted reconstruction in the dark, a revolution of disaster, but reconstruction in the full light of day, a continuing and progressive revolution. To that expedient of a Declaration of Rights, the outcome of long ages of balance between government and freedom, we return therefore, but this time upon a world scale, and we declare:

" (1) That every man is joint heir to all the resources, powers, inventions and possibilities accumulated by our forerunners, and entitled without distinction of race, colour or professed belief or opinions, to the nourishment, covering, medical care and attention needed to realise his full possibilities of physical and mental develop-

ment and to keep him in a state of health from his birth to death.

" (2) That he is entitled to sufficient education to make him a useful and interested citizen, and further that special education should be so made available as to give him equality of opportunity for the development of his distinctive gifts in the service of mankind, that he should have easy access to information upon all matters of common knowledge throughout his life and enjoy the utmost freedom of discussion, association and worship.

" (3) That he may engage freely in any lawful occupation, earning such pay as the need for his work and the increment it makes to the common welfare may justify. That he is entitled to paid employment and to a free choice whenever there is any variety of employment open to him. He may suggest employment for himself and have his claim publicly considered, accepted or dismissed.

" (4) That he shall have the right to buy or sell without any discriminatory restrictions anything which may be lawfully bought or sold, in such quantities and with such reservations as are compatible with the common welfare.

" (5) That he and his personal property lawfully acquired are entitled to police and legal protection from private violence, deprivation, compulsion and intimidation.

" (6) That he may move freely about the world

at his own expense. That his private house or apartment or reasonably limited garden enclosure is his castle, which may be entered only with his consent, but that he shall have the right to come and go over any kind of country, moorland, mountain, farm, great garden or what not, or upon the seas, lakes and rivers of the world, where his presence will not be destructive of some special use, dangerous to himself nor seriously inconvenient to his fellow-citizens.

" (7) That a man unless he is declared by a competent authority to be a danger to himself and to others through mental abnormality, a declaration which must be annually confirmed, shall not be imprisoned for a longer period than six days without being charged with a definite offence against the law, nor for more than three months without a public trial. At the end of the latter period, if he has not been tried and sentenced by due process of law, he shall be released. Nor shall he be conscripted for military or any other service to which he has a conscientious objection.

" (8) That although a man is subject to the free criticism of his fellows, he shall have adequate protection from any lying or misrepresentation that may distress or injure him. All administrative registration and records about a man shall be open to his personal and private inspection. There shall be no secret dossiers in any administrative department. All dossiers shall be accessible to the

man concerned and subject to verification and correction at his challenge. A dossier is merely a memorandum; it cannot be used as evidence without proper confirmation in open court.

" (9) That no man shall be subjected to any sort of mutilation or sterilisation except with his own deliberate consent, freely given, nor to bodily assault, except in restraint of his own violence, nor to torture, beating or any other bodily punishment; he shall not be subjected to imprisonment with such an excess of silence, noise, light or darkness as to cause mental suffering, or to imprisonment in infected, verminous or otherwise insanitary quarters, or be put into the company of verminous or infectious people. He shall not be forcibly fed nor prevented from starving himself if he so desire. He shall not be forced to take drugs nor shall they be administered to him without his knowledge and consent. That the extreme punishments to which he may be subjected are rigorous imprisonment for a term of not longer than fifteen years or death.

" (10) That the provisions and principles embodied in this Declaration shall be more fully defined in a code of fundamental human rights which shall be made easily accessible to everyone. This Declaration shall not be qualified nor departed from upon any pretext whatever. It incorporates all previous Declarations of Human Right. Henceforth for a new era it is the funda-

mental law for mankind throughout the whole world.

" No treaty and no law affecting these primary rights shall be binding upon any man or province or administrative division of the community, that has not been made openly, by and with the active or tacit acquiescence of every adult citizen concerned, either given by a direct majority vote of the community affected or through the majority vote of his publicly elected representatives. In matters of collective behaviour it is by the majority decision men must abide. No administration, under a pretext of urgency, convenience or the like shall be entrusted with powers to create or further define offences or set up by-laws, which will in any way infringe the rights and liberties here asserted. All legislation must be public and definite. No secret treaties shall be binding on individuals, organisations or communities. No orders in council or the like, which extend the application of a law, shall be enforceable. There is no source of law but the whole people, and since life flows on constantly to new citizens, no generation of the people can in whole or in part surrender or delegate the legislative power inherent in mankind."

CHAPTER X

## A FRENCH PARALLEL

APT to the moment there comes to hand a *Complément à la Déclaration des Droits de l'homme*, prepared by the *Ligue des Droits de l'homme*, and passed by a Congress of that League at Dijon in July 1936. Our own Declaration was drafted without any knowledge of this *Complément*, and the reader will find it interesting to check back the two. They correspond very closely in their general plan and sometimes they use identical phrases. The French document is rather more plainly feminist and less simply equalitarian in sexual matters. Moreover, it makes a distinction between " travail " and " loisirs " which we do not recognise. Nor does it give sufficient value to the forces now making for political collectivisation into a world system. It seems rather under the spell of that false analogy which treats of states as only a sort of supra-individual and applies the organising rules of human intercourse to them, without proper qualifications. We believe much political trouble arises out of this personification of peoples and governments.

This is the text of the document:

" Les Droits de l'Homme, ' droits naturels,

inaliénables et sacrés,' ont été inscrits dans la Déclaration de 1789. Les principes en ont été confirmés et étendus dans le projet de Robespierre, adopté par les Jacobins en avril 1793, at par la seconde Déclaration des Droits, votée par la Convention nationale le 29 mai 1793.

" Ces principes ont fondé la démocratic politique. Mais l'évolution sociale posant des problèmes nouveaux, les progrès des sciences et des techniques permettant des solutions neuves, ces mêmes principes doivent par l'abolition de tous les privilèges fonder la démocratie économique.

" *Article* 1. Les Droits de l'être humain s'entendent sans distinction de sexe, de race, de nation, de religion ou d'opinion.

" Ces droits, inaliénables et imprescriptibles, sont attachés à la personne humaine; ils doivent être respectés en tout temps, en tout lieu et garantis contre toutes les formes politiques et sociales de l'oppression. La protection internationale des Droits de l'Homme doit être universellement organisée et garantie de telle sorte que nul Etat ne puisse refuser l'exercice de ces droits à un seul être humain vivant sur son territoire.

" *Article* 2. Le premier des Droits de l'Homme est le droit à la vie.

" *Article* 3. Le droit à la vie comporte le droit de la mère aux égards, aux soins et aux ressources que nécessite sa fonction—le droit de l'enfant à

tout ce qu'exige sa pleine formation physique et morale—le droit de la femme à la suppression intégrale de l'exploitation de la femme par l'homme—le droit des vieillards, malades, infirmes, au régime que réclame leur faiblesse—le droit de tous à bénéficier également de toutes les mesures de protection que la science rend possibles.

" *Article* 4. Le droit à la vie comporte:

" 1° Le droit à un travail assez réduit pour laisser des loisirs, assez rémunérés pour que tous aient largement part au bien-être que les progrès de la science et de la technique rendent de plus en plus accessibles, et qu'une répartition équitable doit et peut assurer à tous;

" 2° Le droit à la pleine culture intellectuelle, morale, artistique et technique des facultés de chacun;

" 3° Le droit à la subsistance pour tous ceux qui sont incapables de travailler.

" *Article* 5. Tous les travailleurs ont le droit de concourir personnellement ou par leurs représentants, à l'établissement des plans de production et de répartition, et d'en surveiller l'application de telle sorte qu'il n'y ait jamais exploitation de l'homme par l'homme, mais toujours juste rémunération du travail et utilisation pour le bien de tous, des puissances de création exaltées par la science.

" *Article* 6. La propriété individuelle n'est un droit que lorsqu'elle ne porte aucun préjudice à

l'intérêt commun. L'indépendance des citoyens et de l'Etat étant particulièrement menacée par la propriété qui prend la forme de groupements d'intérêts égoistes et dominateurs (cartels, trusts, consortiums bancaires), les fonctions que cette propriété a usurpées doivent faire retour à la nation.

" *Article* 7. La liberté des opinions exige que la presse et tous les autres moyens d'expression de la pensée soient affranchis de la domination des puissances d'argent.

" *Article* 8. Les fautes commises contre la collectivité ne sont pas moins graves que les fautes commises contre les citoyens.

" Les représentants du peuple et les fonctionnaires investis par la nation d'un pouvoir de direction ou de contrôle sur l'économie, ne peuvent avoir aucun intérêt, accepter aucune place, aucune rémunération, aucun avantage quelconque dans les entreprises qui sont ou ont été soumises à leur surveillance.

" *Article* 9. Toute nation a des droits et des devoirs à l'égard des autres nations avec lesquelles elle constitue l'humanité. Organisée dans la liberté, la démocratie universelle doit être l'objectif suprême des nations.

" *Article* 10. Les Droits de l'Homme condamnent la colonisation accompagnée de violence, de mépris, d'oppression politique et économique.

" Ils n'autorisent qu'une collaboration fraternelle poursuivie en vue du bien commun de

l'humanité, dans le plein respect de la dignité personnelle et de toutes les civilisations.

" *Article* 11. Le Droit à la vie implique l'abolition de la guerre.

" *Article* 12. Il n'est pas de circonstance où un peuple soit excusable d'en provoquer un autre. Tous les différends doivent être réglés soit par la conciliation, soit par l'arbitrage, soit par une juridiction internationale dont les sentences doivent être obligatoires. Tout Etat qui se soustrait à l'observation de cette loi se met en dehors de la communauté internationale.

" *Article* 13. Les nations forment entre elles une société.

" Tout peuple attaqué a le droit d'appeler la collectivité internationale à concourir à sa défense.

" Tous les peuples ont le devoir de se porter au secours du droit violé.

" *Article* 14. Tous ces droits se fondent dans le devoir de la société, qui est de combattre, sous toutes ses formes, la tyrannie—de former des citoyens—de travailler au progrès intellectuel et moral—ainsi qu'au bien-être des individus et des peuples—de leur enseigner l'esprit de paix et la tolérance—et d'appeler sur la terre, à l'exemple de la Révolution française le règne de la raison de la justice et de la fraternité."

Being translated this reads as follows:

" The Rights of Man, ' natural, inalienable, sacred,' were first asserted in the Declaration of

1789. These principles were confirmed and extended in the version by Robespierre adopted by the Jacobins in April 1793 and voted by the National Convention in the Second Declaration of Rights, on May 29th, 1793. But social evolution confronts us with novel problems: the abolition of former privileges and the opening up of fresh solutions by scientific and technical progress now make economic democracy a possible and necessary completion of that former political emancipation.

" *Article* 1. The Rights of a human being are irrespective of sex, race, nationality, religion or opinion.

" These inalienable and imprescribable rights attach to the human personality; they are to be respected on all occasions and everywhere, maintained against all political and social oppressions. The world-wide protection of these rights should be so guaranteed that no State should be able to refuse their enjoyment to any human being within its territory.

" *Article* 2. The first right of man is the right to live.

" *Article* 3. The right to live includes the right of the mother to all the care and resources necessary to her function, the right of the child to all that its full moral and physical growth demands, the right of woman to the entire suppression of masculine exploitation, the right of the old, the

sick and the infirm to the regime their weakness demands, the right of all to benefit equally in the help and protection that modern science now makes available.

" *Article* 4. The right to live involves also, the right to have work so limited as to leave ample leisure time, and so remunerated that everyone will have a fair share in the well-being which scientific and technical progress renders possible, and an equitable distribution of which could and would now assure to everyone the full intellectual, moral, artistic and technical development of all his or her faculties and a sufficient subsistence for everyone incapable of work.

" *Article* 5. All workers have the right to participate, either personally or through their representatives, in the planning of production and distribution, and to supervise the operation of such planning so as to prevent the exploitation of man by man and so as to secure the just rewards of labour and the fullest utilisation for the good of all of the scientifically exalted bounty of nature.

" *Article* 6. Private property is only a right when it does not infringe upon the common interest. The independence of the nation and its citizens is now more particularly threatened by aggressive proprietary interests (cartels, trusts and banking controls) and it becomes of primary importance to restore these usurped powers to the common weal.

" *Article* 7. Liberty of opinion demands that the press and all other media of thought and expression should be released from the control of monetary power.

" *Article* 8. Infringements of the rights of the community as a whole, are as grave as the infringement of individual rights. No representatives of the people and no functionaries entrusted by the nation with the direction and controls of economic life, should be allowed to derive any profit in, or accept any place, remuneration or advantage whatsoever, in the interests which have been entrusted to their care.

" *Article* 9. All nations have rights and duties towards their fellow nations, which collectively constitute humanity with them. Universal democracy, organised in freedom, should be the supreme objective of all nations.

" *Article* 10. The Rights of Man condemn colonisation involving violence, debasement and political and economic oppression. They recognise only the possibility of brotherly collaboration in the service of human welfare, conducted with the fullest respect for human dignity and civilised standards of behaviour.

" *Article* 11. The right to live implies the abolition of war.

" *Article* 12. There are no circumstances which justify one people's provoking another. All differences should be settled either by con-

ciliation, arbitration, or by an international jurisdiction whose decisions are authoritative and final. Every State which disregards that law puts itself outside the community of nations.

" *Article* 13. The nations of the earth constitute a society. Every people suffering from aggression has the right to appeal to the human collectivity for defence, and it is the duty of all peoples to go to the aid of violated national rights.

" *Article* 14. All these rights merge in the duty of society as a whole to combat every form of tyranny, to form citizens, to work for the well being not only of individuals and societies but for moral and intellectual progress, to inculcate the spirit of peace and tolerance and to spread throughout the entire world, in accordance with the great tradition of the French Revolution, the reign of reason, justice and universal brotherhood."

To inspire a movement, to stir meetings, to quote, this type of declaration is certainly very effective, but as a weapon in the hands of some obstinate lawyer, like my friend W. H. Thompson for example, fighting a case in a police court—and that is where thousands of battles for freedom will have to be fought—or a member of Parliament pursuing some unrestrained legislator, we believe our own is the tougher, more practicable instrument.

CHAPTER XI

# AN ALTERNATIVE DRAFT AND SOME FURTHER SUGGESTIONS

HERE next, by way of stimulus to discussion is another draft of a Declaration, emanating from the "Cambridge Peace Aims Group," which appears to be mainly Mr. Robert Jordan. It runs as follows:

"*Charter of the Rights and Duties of Modern Man*

"Here are the Rights:

"(i) FOOD. Every man shall be entitled to sufficient food to give him the fullest nutrition to develop his physique to the fullest capacity and to play his full part in the life of the community.

"(ii) HEALTH. Every man shall be entitled from conception till death to benefit from the best medical and surgical achievements of the day and to the fullest enjoyment of hygienic and preventive services.

"(iii) ENVIRONMENT. Every man shall be entitled to housing with services and equipment, to surroundings favourable to all his activities and generally to an ordered environment, whether

urban or rural, in accordance with the best planning principles of the day.

" (iv) EDUCATION. Every man shall be entitled to a sound and objective education and there shall be genuine equality of opportunity. Education shall be a matter of environment as well as of instruction, and everyone shall be entitled to an education untouched by the interests of any party or religion.

" (v) FREEDOM. Every man shall be entitled to as much freedom as is compatible with the freedom of others. He shall have full freedom of thought, speech, assembly and movement about the world without passport or visa. He shall be free to live and work where he chooses (subject only to the regulations of the world labour bureau). Every man shall have his home and property secured against entry or confiscation by others, and he shall possess such literature, etc., as he chooses. He shall have access to all open spaces except such as are set aside with each house for private use, provided, of course, such access does not interfere with industrial or agricultural processes. No man shall own property of such a quantity or character as shall involve the exploitation of others. Every man shall have the right to buy or sell such commodities as may be lawfully traded with such reservations as are necessary for the common good. No man shall be imprisoned anywhere in the world for more

than a short stated period without open public trial, and he shall then have free legal advice and full knowledge of the process of appeal available to him. No man shall be subject to spying or enforced exile. When convicted of any crime he shall be subject at the most to imprisonment under hygienic conditions. (Without here entering into details, crime shall be regarded pathologically —a disease to be cured or prevented.) There shall be no political crimes on the statute book. Every man shall be entitled to have access to all Truth which is humanly obtainable, and no measures shall be taken to withhold from him any facts or opinions or to prevent him publishing any facts or opinions.

" And here are the Duties:

" Every man shall (in accordance with his mental and physical capacity) do some work which shall either directly or indirectly benefit the community. He shall not be compelled to do unpleasant or undignified work for more than the minimum number of hours which equal distribution and scientific devices shall make possible. Every man shall be entitled to public consideration of his claim to do such work as is in accordance with his inclinations or interests. No man shall hold any post or public appointment except on the grounds of his ability.

" Every man or organisation who, by reason of research or experiment or special ability,

shall achieve, discover or invent something which might benefit others shall publish the results of such work and shall be suitably rewarded.

" Every man shall perform such necessary civic duties as voting, sitting on juries, etc., and such other voluntary work as may from time to time be required of him for the general good.

" THESE RIGHTS AND DUTIES OF MAN SHALL BE THE CONCERN OF THE WHOLE WORLD, AND IT SHALL BE THE FIRST DUTY OF THE SUPREME GOVERNMENT TO GUARANTEE THEM TO ALL MEN EVERYWHERE. THE SUPREME GOVERNMENT SHALL BE ENTITLED TO STEP IN AND ACT, IF NECESSARY WITH THE AID OF FORCE, IF ANY LOCAL GOVERNMENT IS FAILING IN ITS DUTY TO PROVIDE MAN WITH HIS ELEMENTARY AND FUNDAMENTAL RIGHTS OR TO ADMINISTER A STRICT ENFORCEMENT OF THE LAW IN ACCORDANCE WITH FUNDAMENTAL ABSTRACT JUSTICE."

(i), (ii), (iii) and (iv) are in effect our Clauses 1 and 2. It is for the reader to decide which is the better wording. In (v) and the " Duties," which are more or less the equivalent of the rest of our Declaration, there is a certain excessiveness of assumption: the existence of a " world labour bureau," for example, and the assertion that " crime is to be regarded as primarily pathological." Many people, the present writer included, believe there is quite a lot of normal

and incurable wickedness in mankind which has to be restrained. At any rate, it seems unnecessary to raise the issue. The Clause about passports and visas appears inadvisable to me. It will surely be necessary for a man to carry some sort of identification papers in a world community, and this clause seems, I say *seems*, to exonerate him from doing so. Upon one or two points (v) is compacter than our draft, but I have given reasons, based on the Magna Carta precedent, for overflowing occasionally into detail and pointing explicitly at present evils.

The duties of " sitting upon a jury and voting " are not mentioned in our Declaration. I do not think, myself, that a man should be obliged to vote upon any issue. He has, I maintain, a right to tacit acquiescence. " Trial by jury " in a world of open criticism and discussion, may be a much less necessary guarantee of liberty than it was in the small untravelled, illiterate communities of the past. A recording microphone, cameras, alert critical reporters, unrestrained publicity, may provide a check upon the unjust magistrate more efficiently than any boxful of " twelve good men and true." The proviso, in the Cambridge draft, that " every man *shall* perform . . . voluntary work " is no doubt a slip of the pen.

Among other criticisms to which our Declaration has been subjected is first of all the use of

the word "Revolution" in the third paragraph of the exordium. The objection is a practical one. A great number of people have been trained to regard "revolution" as meaning a dreadful destructive breaking-up of social ties, with barricades, tumbrils and so on, and why should they be shocked by such a word? I see no strong reason why their fear should not be dispelled by substituting "world reconstruction" for "world revolution," though I believe that as far as possible people should be induced to think rather harder than they do about the real meaning of the words they use.

Moreover, and quite another matter, in Clause 6, the experienced police official will object at once to the immunity of the "Englishman's castle." There are certain cases, he will insist, that justify a search warrant. Search may be necessary when dealing with certain forms of criminality, but it is very easy to abuse the right of search. I would like to have that particular sentence recast ultimately in consultation with an expert criminologist or so, and someone from Scotland Yard. I find it difficult to devise the sort of qualifying phrase needed for this occasion, and I can find no one with anything to suggest. And I would like at the same time to have a conference with the same committee upon Clause 8 about the right of a man to see and challenge his dossier. It has been suggested that every professional criminal

will be demanding a sight of his dossier to discover just exactly what the police know about him. I doubt that. I do not see Bill Sikes or a suspected poisoner or forger going to the record office and sitting down to have a frank talk with two or three detectives about his past and present. He might give away more than he got. As a trial amendment I suggest the following revised clause :

" That although a man is subject to the free criticism of his fellows, he shall have adequate protection from any lying or misrepresentation that may distress or injure him. The substantial facts in all dossiers kept for administrative purposes, shall be accessible to the man concerned and subject to verification or correction at his challenge. A dossier is merely a memorandum for administrative use; it may justify temporary detention subject to the provisions of the preceding clause, but neither deportation nor any other penalties; it cannot be used as evidence without proper confirmation in open court."

But that still leaves me in the air about that search warrant. Suppose we were to add to Clause 6: " Or by a legally qualified person empowered by a warrant as the law may direct ? "

Here perhaps is the place for another afterthought.

It has been suggested that one single Declaration

of Rights may not be adapted to all occasions. The World State, like the Christian Church, might well have a shorter and a longer creed. And like the French Revolution, the World Revolution might very well embody its primary idea in a slogan. The French slogan was Liberty, Equality and Fraternity. This seems to need only one addition. We want to emphasise " equality of opportunity." Perhaps " Liberty, Fraternity, Equality of Opportunity, and Equality Before the Law " would be a suitable amendment.

I find it very difficult to turn my mind from the elaboration of a full Declaration to the production of any simple formula, which would express our revolutionary purpose in a comprehensive manner and at the same time leave no loopholes for effective evasion. Something on the lines of the Declaration of Independence may be possible. " I believe in the right of every living human being, without distinction of colour, race, sex or professed belief or opinion, to liberty, life and subsistence, to complete protection from ill-treatment, equality of opportunity in the pursuit of happiness and an equal voice in the collective government of mankind. For those primary rights, for others and myself, I am prepared to struggle with all my strength and ability whenever I am called upon to do so." Does that say enough ?

CHAPTER XII

# THE NEW MAP OF THE WORLD

THIS book is concerned with the Declaration of Rights which is the proper and necessary response of the Atlantic civilisations to the swiftly advancing need for a social and economic collectivisation. It concentrates on that.

I will not argue here whether this Declaration embodies the spirit of Christianity or owes anything to Christianity, or debate any side issues of that kind. Some correspondents declare it *is* simply Christianity. Many Roman Catholics attack its fundamental ideas ferociously. I shall be only too glad to discover that it is Christianity, and, though I do not profess Christianity, to work side by side for these ends with those who do. And also if it is claimed that this embodies the spirit of Islam, Judaism, Buddhism, Bahism or any other -ism, I do not mind. Whoever accepts the Declaration is my ally and fellow citizen. I will not discuss beliefs that stand that test here. Nor will I take up here that other aspect of our world situation, and attempt to demonstrate the commanding need for a collectivisation of human affairs. I have dealt with that as compactly and fundamentally as I can in *The Fate of Homo*

*sapiens* and in *The New World Order*. I cannot compress those very concentrated arguments further.

Plainly I am an extreme revolutionary. Although I dislike rhetoric and emotion intensely, my reason nevertheless compels me to be extreme. I do not believe it is possible to go on with the present way of living that prevails throughout the world, with the sovereign governments we have and the economic practices that prevail. These sovereign governments have given us nothing but inconclusive wars on a larger and larger scale, and we have to get rid of them all. All of them It is not the present German Government we are fighting to get rid of; it is any government of that sort, including most emphatically our own. We have to get rid of and replace all these governments by a world system, and that alone is world revolution. But, in addition, we have to get rid of and replace methods of exploiting natural advantages, business control and finance, that in the midst of possible plenty keep nearly all of us poor and needy, sweated and bored. This applies equally to the maladministration of Russia and the Totalitarian states and the chaotic scramble for profit of the so-called capitalist countries. All in their various ways waste and devastate life. The common sense of mankind revolts against these things and grows less and less patient with them.

This has become plainer and plainer in our

minds as the years have passed. More and more of us realise that we have to assemble our affairs in a new and far better unifying organisation or pass on to complete social disintegration. We are suffering in a sluggish and incomplete revolution, because it is sluggish and unwilling and inadequate. Because revolutionary movements have failed and have been frustrated hitherto that is no argument against revolution. It is an argument for a bolder and better revolution.

For decades the political and revolutionary unrest of the world has wasted itself upon unsound and insufficient formulæ, of which the League of Nations idea and Stalinised-Leninised-Marxism are typical samples. Neither of these schemes, which the conflicts of 1914–18 released, was thought out soundly and boldly enough; they have brought us to where we are; they gain nothing in dignity by the fact that their failure has been world-wide, bloody and costly both in time and in human happiness. The League of Nations is evidently giving place in many men's hopes and imaginations now to what is at present an even more unsubstantial and uncreative gesture, the Federation idea. Something may be made of it perhaps; but at present it is no better than a pious aspiration. In *The New World Order* I have shown how provisional and unsubstantial it is, and how much needs to be added to it before it should be urged upon people, even as a first step towards world

rationalisation. Communism as a project for a new world order I have also subjected in the same book to a destructive statement of the obvious. Both these things equally—League-of-Nationism and Communism—have lost heart and failed. We can never go back to them. They are over and we have to go on.

But it is no longer necessary to explode the pretensions of Communism to world leadership. They have been exploded for all time by Mr. Molotov, the Russian Foreign Minister. He has declared that the U.S.S.R. has its own " ideology " and will not interfere with the " ideologies " of other states. There for the present Russia closes its revolutionary story. With these words the U.S.S.R. becomes no more than a nationalised imperialism and resigns whatever pretensions it has ever had to revolutionary leadership in the world. The Communists who work for it in other countries become now simply the propaganda agents of a foreign power.

So the ideas of fundamental world reorganisation and ultimate world unity return for a phase of refreshment and renewal to the lands and peoples among whom they were originally begotten. We of the Western World who think and speak freely have to take up the one world revolution where Stalin and Molotov have laid it down. Without slogans or claptrap we must go on now to rally the shattered forces of human reconstruction. The

battle for world regeneration enters upon a new phase. These first waves of attack have gone as far as they can do; they await reinforcement and a new formation.

Socialisation is a process intricate in detail, many-sided and variable. I have done my best to take a general view of it in *The New World Order*. But this Declaration of Rights is the absolutely necessary implement for holding together and controlling all those operations of expropriation, reappropriation and so forth and so on, which are essential to the great change. An absolutely necessary implement. And it is possible to bring it into effective operation forthwith. You can put this book down and begin. Everywhere groups and individuals can press it upon the attention of their Parliamentary candidates and representatives, their social and political organisations, their public leaders, their administrations and governments. They can insist. They can say: "Is this what you stand for, and if not, why not? Why are you not accepting it? Tell us explicitly what there is in it you will not support. Or we will refuse to trust you. We will denounce. We will distrust and denounce and defeat whatever you are doing."

In quite a little while this draft declaration, which really, radical though it is, contains nothing new or startling, which does simply get together and embody in one plain statement general ideas practically operative and active in our democratic

communities, can be made the explicit criterion of our war aims and the ruling idea of all our efforts. It can pull us all into shape. Once it is fairly launched, it will go about the world. It will insist upon itself. It will go into neutral and enemy countries. It will find allies for us there and everywhere. Once it has begun to be printed and reprinted and discussed, it will defy any censorship. Nobody can claim a restrictive copyright in a statement of fundamental public importance, so ordered and compact. It will become the backbone of the new revolution everywhere.

We can then, with this declaration as a common basis, turn to all this swelling literature about Federation and all the proposed new maps of Europe, and the whole tangled problem of war aims, with some hope of practicable solutions. Either governments will set themselves firmly against the Declaration and do what they can to suppress it, and so become the open enemies of the new world order, or they will accept it, and by so doing align themselves with the forces of rational world reconstruction as provisional administrations on the way to a world system, or they will attempt to ignore it. But if a sufficient clamour for a Declaration of Rights is maintained, they will ignore it with a deepening sense of dishonesty and guilt. The only governments to which a rational man can now give even provisional allegiance are

governments which have accepted this Declaration of Rights, or a Declaration essentially similar, as their basic political law, which are consciously provisional and confessedly doing their work in trust for the world pax.

Now if the people who, inspired by Mr. Clarence K. Streit's *Union Now*, are talking seriously of a Federal system in the world and not merely making optimistic noises of no value whatever, then they propose a repetition, on a larger scale, of the developmental method of the United States of America, which consisted of a growing number of fully organised federated States plus a number of territories not yet properly and satisfactorily equipped to take an equal place in the Federal Union but destined finally to full state status. So evidently the aim of these federalists, if they are the least bit sincere, involves *the dissolution of the French and British imperial systems* into a constellation of states and territories and the association with them of a number of now neutral countries which have agreed to accept the same collectivist principles and the same organisation into states and probationary territories. And it means also *the reduction of the British monarchy to a merely formal survival.* If you are not prepared for these preliminaries, then in the name of common sense stop shouting "Federation."

These federated states, we are told, are to have a

common money, which is only possible with a common property and money system, they are to have unrestricted free trade and a complete pooling of their military, naval and air armament and organisation. All that is proposed, a little indistinctly perhaps, but quite definitely, in *Union Now*. All that I do in my various criticisms of Mr. Streit is to ask him not to mumble. The utmost military organisation a state will possess will be a state militia for the preservation of internal order. Either these federalists have squared their minds up to all this, or their talk is empty babble only fit for a vicarage tea-party.

But since, for the reasons we have italicised in an earlier section, the world becomes one, this Federal Union idea cannot be confined to any group of states, however extensive. It has to be propagandist for all the world. The "abolition of distance" means in practice the abolition of boundaries. An act of gross cruelty or injustice that occurs in Manchuria or Danzig is as much an Englishman's concern now, as if it occurred in Nigeria or Cardiff. Nowadays the infection of such evils travels too fast to be ignored. In only a week of years, as we have seen, a terroristic gangsterism can develop from back-street outrages to a savage and dangerous assault upon the peace of mankind. We need to bring all the world into our map of states and territories.

Streit talks in his book of the United States of Europe, makes the United States of America one of the "founder states," but hesitates to bring Russia or Eastern Asia into his schemes. Sooner or later, and sooner rather than later, they must come in. It may be that as a transitional phase there may be secondary groupings of the Oslo Powers or the Latin Union or the Balkan Powers, but such groupings must be confessedly on the way to the ultimate synthesis, and they will not be safely adjusted until that synthesis is complete.

The ultimate pattern of world government to which human affairs move seems to be a combination of the collectivist ideal, the state socialism of Russia, *plus* a rigorous insistence upon the Declaration of Rights we have set out here. East is East and West is West, and the sooner they get together the better. The U.S.S.R. is a federal system. Moscow deals with the common staple productions, money, transport, and so forth, but there is a wide variety of constituent states under that central control. For matters of local administration it is obviously more convenient to keep together peoples using the same language and having common cultural traditions. Let us hope all the states develop their own architecture, for example. The federal government and the world common law will be the joint protectors of entangled minorities and of the passing stranger, in the more intensely patriotic areas.

This being the pattern at which we aim, the policy of a rational man will be towards setting up a state in the federal union wherever such a natural solidarity is to be found. Our first " War Aim " will be to secure the acceptance of the Declaration of Rights from as many potential states as possible. Our second should be to facilitate their groupings according to race, kindred and local preference, whenever they desire it, for their cultural association and protection against the swamping influence of larger systems, keeping always in mind the supremacy of the common law. A case in point would be the various Slav-speaking states from Bohemia to Poland and Serbia, who might prefer to base their intellectual development upon Russian rather than German. The present French and British Governments have made large, vague promises to " restore " Czechoslovakia and Poland, apparently to their original boundaries. But both of these, when they were overrun, were artificial political systems. Bohemia is a fairly real country, Poland to the extent of the old Grand Duchy of Warsaw or a little beyond; they have every right to be states and to delay and choose their federal associates when they feel like it. But wild pledges by the Allied Governments are no more to be respected than any secret treaties they may be making now. We, the people, have not been consulted. They are not our concern. Which is one reason among many why there has to be a

change of governments in the "democratic" allies quite as much as in Germany before there can be any pretence of a European peace settlement.

Meanwhile the war against militant Germany must go on.

There are a number of tender-hearted people who do not wish to see Berlin bombed or the common Germans experiencing any of the miseries that they have allowed their Government to inflict on other nations. I do not share this excessive tenderness for the German people, nor do I believe a vigorous bombing and so forth would do anything to embitter them against us. They believe themselves to be a brave military race; they evidently feel ruthlessness is a permissible quality in righteous anger; at every opportunity they swagger about, singing heroic songs and kicking their inferiors; and they deny vigorously that they were beaten, as they were beaten, in 1918. They seem to have an ineptitude for reality until it is made extremely real to them. It is, I believe, a misfortune for all mankind that Berlin was not soundly bombed, as it could have been, in 1918.

The Germans have shown very little regard for the sufferings their belligerence has inflicted on millions of people outside their borders, and, when one has weighed all the possible excuses that can be made for them, it still remains against them that in

a quarter of a century they have twice marched enthusiastically behind ruthlessly aggressive leaders. Do these heroic warriors really want to be treated with mawkish consideration directly the scales of war tilt against them? Must they go on for ever in alternate phases of war and whining? Would it not rather conduce to a manly mutual respect if, as people say, we gave it to them hot and good?

They have insisted on being a nuisance to all the world, they have stopped the wheels of progress, life is entirely disorganised not only in France and England and Poland but in Sweden, Holland, Belgium, on account of their love for playing soldiers, and it is absurd to concentrate upon Herr Hitler the responsibility for all that fierce, fatuous, crowd-swaggering which thousands of photographs have recorded. There are thousands of pictorial records. There are, I say, many excuses for the Germans, Versailles and the strangulation after 1919–20, etc., etc.—we all know how sound their excuses are, we concede them almost excessively, we over-do it; none the less they have been made excuses for abominable behaviour—and I am convinced that vigorous bombing and bombarding, town-wrecking and the like, would be an entirely wholesome and chastening experience for the German "soul."

It has been for us. Navy-proud Englishmen have never had quite the same feeling about

marine bombardments since the shelling of Scarborough, and Mr. Anthony Eden, who opposed the abolition of the bombing plane by the League of Nations, probably sees that weapon now from quite a new angle. One object lesson, one home lesson, in such things is worth endless hearsay, as any leader will testify.

Germans have to see and feel for themselves as recipients, the heroic blonde mothers and that heroic blond little boy, the Nazi kicker of tomorrow, have to feel in their own skins what sort of war it is they have made and applauded in Poland, for example. It is far better than blockade and starvation, more impressive, less drawn-out and less easily explained away. Let them run and cower and like it.

Unless the war passes into such a phase of recognisable defeat for Germany at home, I see little probability of any war end that will be more than an interval for German recuperation and rearmament. As Count Ciano has recently explained with perfect frankness, "peace" to the National Totalitarian State means a phase of recovery between aggressive wars. The devastated regions of France and Belgium have not made the French and Belgians into war fanatics. On the contrary they have made them extraordinarily thoughtful about war. The Germans would be all the better for similar regions in their home land to meditate upon.

I make these unusual, these un-Quakerlike, remarks without any feeling of vindictiveness towards Germans. I am a pacificist, but I am a realistic pacificist. I want an organised world peace. But I have always thought it a mean way of scoring off an antagonist to turn the other cheek. It is disrespectful to his pugnacity, it is irritatingly smug, and much more likely to stir him up to further outrage than to turn his wrath aside. Let the Germans have their medicine now. I maintain that the nett saving in human life and the increased security of the next generation of human beings all about the earth, would enormously outweigh the suffering that would have to be inflicted in order to demonstrate to these people just what being a Nazi involves for others—and ultimately for themselves. I believe the Germans are potentially one of the greatest peoples upon the face of the earth; I am altogether opposed to any diplomatic arrangements that would cut up their natural great community into small, sterilised states. It is a valuable and important population of immense scientific and literary capabilities, which has now to be restored, even by drastic means, to health. There is no real alternative to a healthily beaten Germany but some diplomatist's scheme for perpetual enfeeblement and discord in the heart of Europe that will be far worse for the general human outlook.

Germany, I insist, has to be beaten and disarmed,

and I see no reason to recoil from the idea of that's involving some rough times for her, not enfeebling and miserable times, but rough times; she has to go through with that; and then I think we ought to accept some genuine German scheme for her general future. We ought not to have some Congress of the Powers mapping things out for her, but we ought to put it severally to the ancient divisions of the German Confederation, Prussia, Bavaria, Saxony, Austria, and so on, to accept the Declaration of the Human Rights they have ignored and to decide how far they will remain separate, and how far they will federate up to the limit of a single, complete, German-speaking community, unified politically, economically and intellectually, and how far, severally or altogether, they will come into any wider federal system. That is their affair. But it is the affair of the whole world that they should cease to march and arm.

Very probably the Weimar Constitution, which is still legally the fundamental law of Germany, may be a suitable instrument for the restoration of legality in Germany, just as there may be dormant possibilities of liberalisation in the Russian Constitution of 1936. These are questions I have not had the necessary opportunity to examine. But in such a phase of conflict and confusion as lies before us there can be little question of the steadying value of such precedents and revivals in which a

nation can recognise its own spontaneous will rather than the compulsion of the foreigner.

There could be no better factor in a reconstituted world than a demilitarised Germany released from her present puerile malignancy. The more she is "let off" the realities of defeat, the more she will resent it and lie about it. We want these eighty millions to grow up to a sober and chastened partnership in the world's affairs.

Germany has to be disarmed, as all the world has to be disarmed, and it is absurd to talk of "leaving her alone to herself." There was an extraordinary mass of foolish talk after 1918 about not interfering in the internal affairs of this, that or the other member of the League of Nations. It is time we recognised fully that the making of any lethal weapon larger than what may be required for the control of big animals, is a matter of universal concern, just as aggressively nationalistic history text-books or the fostering of infectious diseases in swamps and slums, or interference with free speech, is a matter of universal concern. Making a weapon, except for unavoidable police necessity, making a provocative lie anyhow, or fostering fever, is the first stage in murder. Whatever federal systems we contemplate as we draw the map of our future world, are systems that will have a very definite and reasonable aggressiveness. They will need police organisation in com-

mon not only for mutual reassurance but to control as far as possible what is going on outside the federal boundaries. The coalescence of such international police forces, once they exist and prove their usefulness, into a world system, may go on very rapidly. On the one hand it may be found convenient to entrust air and sea control to such an organisation, and on the other it might even keep an eye upon educational reaction.

The ending of warfare will put no stop to the mental conflicts of mankind. We have heard a lot in the past two decades of communist propaganda in the West; we shall hear, I hope, even more of liberal propaganda in the East. We can adopt very parallel methods, and though the propaganda in Russia of the Declaration of Rights by actual democratic governments (when we get them) might be an embarrassment in such international relations as survive, a propaganda by organisations enjoying the liberties of democratic institutions is an altogether different matter. The nearer we approach to the abolition of war and of the nationalist use of force and economic pressure, the more intense the conflict and competition of languages and types of culture may become. Instead of subsidised spy systems and propagandas, we may have the organised endowment of university chairs, presses, periodicals, special schools, exhibitions and theatres. . . .

But we will not wander too far along the road to Utopia. This little book begins and ends to advocate a renewal of the Declaration of the Rights of Man as an instrument of primary necessity and importance in the adjustment of human affairs to that world collectivism which is overtaking the entire planet.

CHAPTER XIII

# A BOOK FOR WHICH THE WORLD IS WAITING

AT present all sorts of able people in the English-speaking countries and France are writing books with the burthen *It must never happen again.* In France this usually means nothing more or less than as complete a destruction of Germany as possible. They have the strongest justification for this grim resolve. From '71 onward Germany has made herself intolerable to France, and it is hard to ask a Frenchman now—or a Pole or a Czech or a Dane or a Hollander or a Belgian—to entertain the possibility of trusting a Germany so changed as to be a good European state. They can scarcely be expected to accept anything but a Germany completely disarmed, competently policed against secret rearmament, garrisoned at stragetic points and politically and culturally broken up. It is that breaking-up I find distasteful and impossible. The rest I accept. The more a people reads, the more its language consolidates it. Except for that breaking-up of Germany, I am at one with the French radicals.

Now how is the effacement of Germany to be averted and at the same time the reasonable fears

of her injured and menaced neighbours to be dispelled? Only by the emergence of a Liberal Germany, willing to accept defeat and disarmament provided it is left free to develop its distinctive cultural unity.

I went to Stockholm last September mainly to get hold of Mr. Thomas Mann and work out some common statement with him, about world affairs. I thought if we could get something fundamental in common, our two peoples could. But I could get nothing out of him. And since then I have been trying to establish contacts with intellectual Germans (who must obviously be "Aryans") who would produce that book I need, *It must never happen again*, in German first, and then put into English and French, so that they come frankly into line with the forces of world reconstruction. There are Germans who can see things clearly. Could they not accept our conception of human rights and produce a Manifesto in the spirit of this letter with which I conclude this book? The letter runs as follows:

"DEAR MR. WELLS,

"Your question was: what wish the Intellectuals for a future Germany?

"I shall try to answer as shortly and distinctly as possible.

"The foremost interest of the German Intellectuals is a state of affairs in which the Rights of

Men—of whom you gave recently an admirable new interpretation—are secured.

" In the following considerations I presume that Hitlerism will be crushed soon.

" From which parties who offer themselves for his succession can we expect that our claims will be respected ?

" From the beginning I may exclude here the Communist party and the National Bolshevik party. Both, it is true, talk much of ' freedom.' Yet, we know that they use the word in another sense than we do it.

" Further on there offers herself one group which affirms at least to be backed by parts of the General Staff. To this apparently are belonging : Rauschning, Brüning, Treviranus, and that part of the Social Democrat Party which is represented by the old ' Parteivorstand ' (Executive Committee), now in Paris. From the point of the Intellectuals one has every reason to mistrust such a combination. (By the way: also from the point of lasting peace.) The General Staff will not change its traditional character, and indeed it always was directed against the Liberal Rights. In such a combination the armed forces would be stronger than those parties allied to them. Thus, what would to be expected would be an autocratic régime supported by the trade unions, preparing carefully and with better manners a new war, rather than a Parliamentary government and

Freedom of the press and of science and learning. Yet, it should not necessarily impossible, especially if the disarmament would be more energetically enforced than the last time, that the development would go contrary to the wishes of the Army officers.

" Secondly, there will be some groups calling themselves socialist but actually rather communist though hostile to Moscow. They also will promise freedom. But also towards them every distrust will be legitimate. They speak of ' economic planning,' and what they mean is scarcely something different from a centralised economic administration which is doomed to lead fast to a totalitarian system. Yet, these people deserve support in the case that the sooner mentioned group (Rauschning etc.) would come into office. In this case those genuine socialists would have the interest in upkeeping freedom for themselves and consequently as well for others.

" There will reappear after Hitler's defeat the Catholic Centre Party. They have members who are not trustworthy as for instance Brüning, who always acted alone in the interests of the General Staff and feels himself much more as army-man than as catholic. But in general the Catholics are trustworthy. They are a minority, at least in the Bismarckian Reich, without Austria. They have been persecuted by the old Prussia in the 'forties, then again by Bismarck and now by Hitler.

Therefore they know that they have to support intellectual freedom for their own sake, and one can rely on them to a large extent.

" Much can be done for us Intellectuals by the peace treaty; after a renewed defeat, the second in 25 years, the influence of the victorious Powers will be enormous including their example. Yet, it is very difficult for them to understand their task, especially because what we need is a mixture of socialist and of capitalist measures. We need the liquidation of the large Eastern estates for economic reasons but foremost for political reasons. They always were the stronghold of the Junkers, and indeed the Junkers were the people who finally gave the power to Hitler. This liquidation is easily done. It is only necessary to prevent *every* kind of economic protection for the production of corn. Then they will be ruined what they have deserved, from every point, since 150 years. Secondly we need nationalisation of the coal and iron industry. Their owners are the old allies of the Junkers (since the beginning of the protective tariff policy in 1878), they supported Hitler and will again support every attempt of authoritarian régime. Finally they are, from the economic point, not only useless but actually damaging. As they cannot live without protective tariffs enforced free trade will endanger them earnestly. Yet, it would be better and more secure to take them over by the State.

On the other hand it is, always from the point of the Intellectuals, absolutely necessary to keep up the general principle of a free market. In every economically centralised or totalitarian system liberty would be smashed soon.

There exists hardly a party acting directly in the interest of the Intelligentsia. The Democratic Party had nearly disappeared before Hitler rose to power. The Liberals, who had been so strong in the 'sixties and 'seventies, had become, to a large extent, the servants first of Bismarck and Wilhelm II, then of every kind of nationalist reaction and of war preparation. However, they now have been taught a lesson. From some examples I met in Oxford I should think they now understand better what liberty and law means for them, and I earnestly hope professors, lawyers, and doctors will behave more sensibly and less nationalist-romantically than they have done before. If this is so it should be possible to build up again a Liberal or Democratic Party, which, in close contact with the Catholic Party, could possibly have a strong influence.

" At last there remain two questions: dismemberment and monarchy.

" I do not think partition of Germany could serve any good aim. It would, unavoidably, lead to a new nationalist movement for unity and would absorb all good forces in a useless struggle.

" Secondly, monarchy? I do not mind in

principle. But who is a candidate? Apparently only the Hohenzollerns. They are the traditional war-lords, chiefly supported by the Army, and should therefore be excluded from any kind of political activity.

"The failures of Versailles should be avoided, the assets repeated in a stronger way. We need a democratic republic, support for trade, import of raw materials and export of finalised goods, moral support, no humiliation (!), under all circumstances severe prevention of every kind of rearmament by an international authority without hope of relaxation.

"Would you, please, excuse my quite insufficient English!"

So writes a very able and distinguished German. He may write with an accent, but I submit he thinks the very best English possible. I would add to his "no humiliation"—"no false pride." That is the phrase that I like least in his letter. The sooner we can have that German *It must never happen again*, written by Germans for Germans, the better for Germany and the whole world.

Heinrich Mann and the Committee of the German Opposition, and Professor Meusel of the Friends of the German People's Front in London, a monthly periodical, *Inside Nazi Germany*, and the Free German League of Culture in London, are all hopeful intimations of the possibility of a German Renascence. We British and our

friends in America have to crystallise out our ideas of world reconstruction in common with such allies. We have to bind ourselves permanently to France to allay the natural fears of France. In a little while we may have an *It must never happen again* League, including such people as President Benes and Jan Masaryk, French radicals, neutral thinkers, and particularly the best thought of America, working out the common idea of a *single new world order*, making that idea so clear and definite as to be a commanding prescription of what has to be done.

There is no time to lose if that body of constructive opinion is to come into operation. There is no time to waste. Do not wait for " leaders." Act yourself. Spread this idea of *world collectivisation plus the Rights of Man.* We do not want " leaders "; we want honest representatives and missionaries to embody that idea and carry it everywhere on earth. In a sane world the idea and the law will dictate, and we shall have no more use for personal dictators and ruling gangs. The politicians will come to heel when they realise that the wind is setting steadily in this quarter of the compass.

THE END

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